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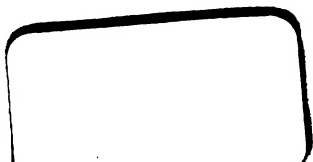


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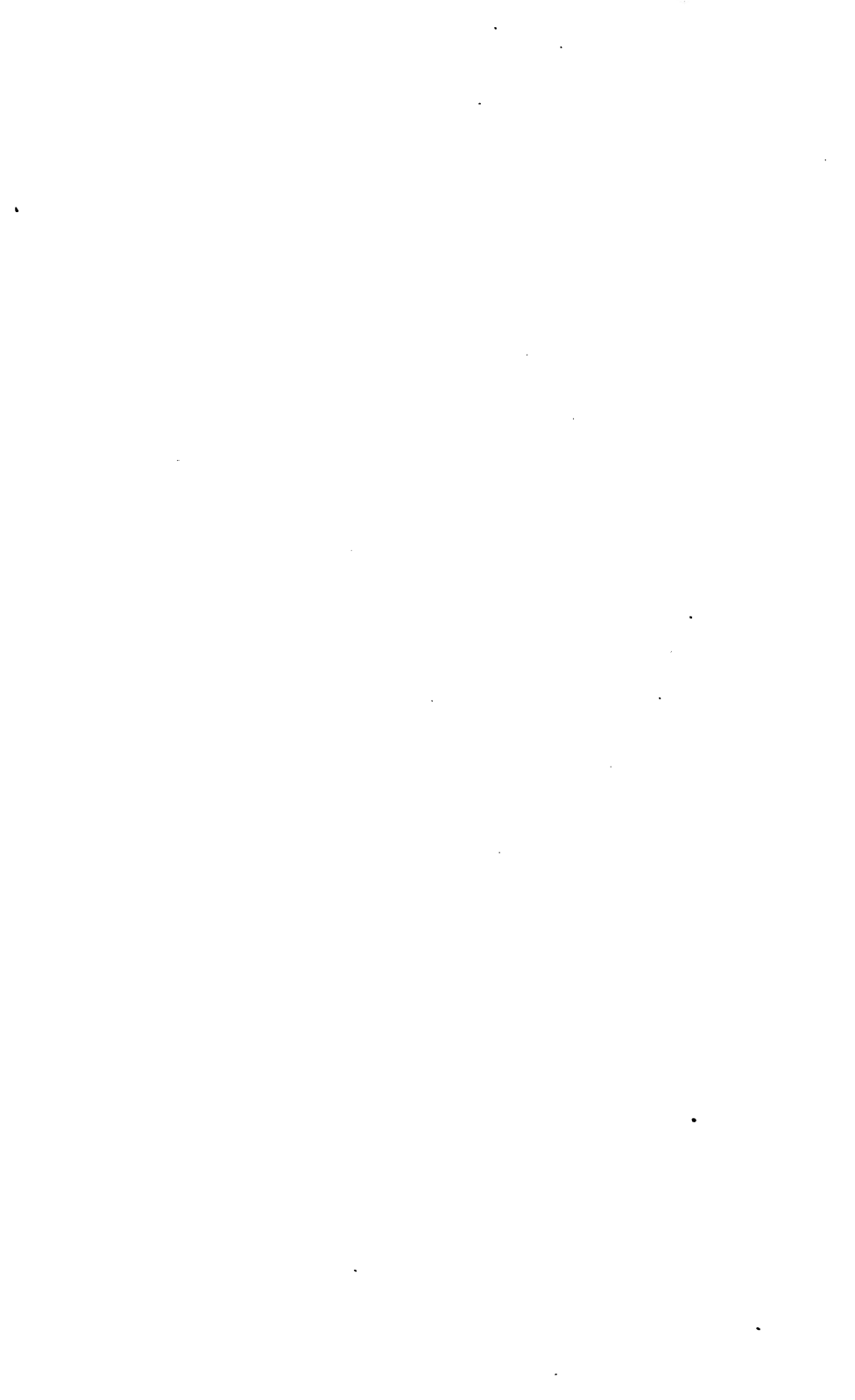
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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF SOUTH CAROLINA:

BEING THE

ANNUAL SESSION OF 1852.



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The Legislature of  
South Carolina

**JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES**  
**OF THE**  
**STATE OF SOUTH CAROLINA.**

**BEING THE REGULAR SESSION OF NOVEMBER, 1852.**

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**MONDAY, NOVEMBER 22, 1852.**

General Assembly of the State of South Carolina, begun and held at the Capitol, in Columbia, on the twenty-second day of November, in the year of our Lord one thousand eight hundred and fifty-two, on which day, being that fixed by the Constitution for the meeting of the General Assembly,

The Honorable JAMES SIMONS, Speaker, (a member from Charleston,) and the following Members of the House of Representatives, appeared and took their seats:

*From Abbeville.*—Messrs. J. W. Hearst, and Thomas Thomson.

*From All Saints.*—Mr. Allard B. Flagg.

*From Barnwell.*—Messrs. William A. Owens, S. W. Trotti, James Patterson, and N. G. W. Walker.

*From Charleston.*—Messrs. G. N. Reynolds, jun., Henry C. King, J. F. Poppenheim.

*From Chester.*—Mr. Tillman Ingram.

*From Chesterfield.*—Messrs. James W. Blakeney and E. B. C. Cash.

*From Christ Church.*—Mr. Thomas M. Wagner.

*From Claremont.*—Messrs. J. T. Green, J. D. Ashmore, and J. B. Witherspoon.

*From Clarendon.*—Mr. J. I. Ingram.

*From Darlington.*—Messrs. E. W. Charles, J. Ervin Byrd, and John F. Ervin.

*From Edgefield.*—Messrs. W. S. Mobley, A. J. Hammond, John C. Allen, Wiley Harrison, Z. W. Carwile and S. Christie.

*From Fairfield.*—Messrs. Henry H. Clarke, J. N. Shedd and R. B. Boylston.

*From Greenville.*—Messrs. Wm. P. McBee, Nathaniel Morgan and Perry E. Duncan.

*From Kershaw.*—Messrs. Joseph B. Kershaw and A. H. Boykin.

*From Kingston.*—Mr. Robert Munro, jun.

*From Lancaster.*—Mr. W. C. Cauthen.

*From Laurens.*—Messrs. C. P. Sullivan, John Hudgens, R. E. Campbell and George Anderson.

*From Liberty.*—Mr. W. R. Johnson.

*From Marlborough.*—Messrs. Charles A. Thornwell and Thomas C. Weatherly.

*From Newberry.*—Messrs. A. C. Garlington, James M. Crosson and Reuben G. Pitts.

*From Orange.*—Messrs. L. M. Keitt and L. E. Cooner.

*From Pendleton.*—Messrs. William S. Pickens, William D. Steele, Elijah Alexander, jun., O. R. Broyles, Francis Burt and George R. Brown.

*From Prince Williams.*—Mr. William F. Hutson.

*From Richland.*—Messrs. James D. Tradewell, C. T. Howell, Wade Hampton, jun., and Wm. Maybin.

*From Saxe-Gotha.*—Messrs. John Fox and J. C. Hope.

*From Spartan.*—Messrs. J. W. Tucker, E. C. Leitner, J. Winsmith and B. F. Bates.

*From St. James, Santee.*—Mr. John A. Gadsden.

*From St. Matthews.*—Mr. O. M. Dantzer.

*From St. Peters.*—Mr. J. S. Lawton.

*From Union.*—Messrs. R. Beaty and J. M. Gadberry.

*From Williamsburg.*—Messrs. A. Isaac McKnight and B. W. Bradley.

*From Winyah.*—Messrs. Gabriel Manigault, J. Iazard Middleton, and J. Harleston Read, Jun.

A quorum of members being present, the SPEAKER took the Chair, and the Clerk read the Journal of the proceedings of the last day of the last session.

The Senate, by their Clerk, informed the House that a quorum had assembled, and was now ready to proceed to business.

Messrs. Benjamin Fanueil Hunt, member elect from Charleston, and James Eppes, member elect from Clarendon, were sworn and took their



seats; and Mr. R. L. Tillinghast, a member elect from St. Luke's, produced his credentials, was sworn and took his seat.

On motion of Mr. ASHMORE,

*Ordered*, That a Committee be appointed to wait on his Excellency the Governor and inform him that a quorum of the House of Representatives had assembled, was ready to proceed to business, and to receive any communication he would be pleased to make: Whereupon the SPEAKER appointed Messrs. Ashmore, Keitt and Boylston of the Committee.

Mr. KEITT submitted the Presentment of the Grand Jury of Orangeburg District at Fall Term of 1852: presenting the condition of the Court House, and recommending the enlargement thereof; which was referred to the Committee on Public Buildings.

Mr. PATTERSON submitted the Presentment of the Grand Jury of Barnwell District for Fall Term, 1852.

So much as relates to the Free School system and to a digest of the Poor and Free School Laws, was referred to the Committee on Education:

So much as recommends the establishment of a Penitentiary was referred to the Committee on the Judiciary:

And so much as relates to navigable streams was referred to the Committee on Internal Improvements.

Mr. HAMPTON presented the memorial of sundry citizens of Columbia and its vicinity, recommending the incorporation of another Bank in the town of Columbia: which was referred to the Committee of Ways and Means.

Mr. POPPENHEIM gave notice that he will ask leave to-morrow to introduce a Bill prescribing the manner in which the Electors of President and Vice President of the United States shall hereafter be elected in South Carolina.

Mr. TUCKER presented the petitions of sundry citizens of Spartanburg, praying the establishment of new places of election; which were referred to the Committee on Privileges and Elections.

Also, the claim of Dr. P. M. Wallace, for printing; which was referred to the Committee on Claims.

Mr. TUCKER submitted the following Resolution, which was ordered to be considered immediately, and which was agreed to:

*Resolved*, That a Special Committee of five persons be appointed by the Chair to take into consideration the subject of Common School Education in South Carolina, with a view to the improvement of the same,

and that said Committee be permitted to report the result of their investigation to this house by Bill or otherwise.

The SPEAKER appointed the following gentlemen of the Committee :—Messrs. Tucker, Melton, Garlington, Hutson, and Manigault.

Mr. GADBERRY presented the petition of John Gibbs, Sheriff of Union District, praying compensation for conveying prisoners to and from Columbia, and for blankets furnished the Jail; which was referred to the Committee on Claims.

Mr. MAYBIN presented the memorial of John Bryce and others, praying a charter for the "Columbia Gaslight Company;" which was referred to the Committee on Incorporations.

Mr. GARLINGTON gave notice, that he will to-morrow ask leave to introduce a Bill, to establish a Bank in the town of Newberry.

Mr. BRADLEY gave notice, that he will to-morrow ask leave to introduce a Bill, to afford aid in constructing the North Eastern Rail Road.

Mr. LEITNER gave notice, that he will ask leave to-morrow to introduce a Bill, providing compensation for Managers of Election :

Also a Bill, to restore the Law, authorizing the appointment of Sutlers at Muster grounds upon certain conditions :

Also a Bill, to alter and amend the Law, in relation to the Education of the deaf and dumb of this State; and

Also, a Bill to enable planters and farmers to prove accounts made by them in the sale of their own produce.

Mr. KEITT gave notice, that he will ask leave to-morrow to introduce a Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits.

Mr. ASHMORE, from the Committee appointed to wait on his Excellency, the Governor, reported that they had performed that duty, and that his Excellency would communicate to this House to-morrow, at one o'clock, P. M.

Mr. HAMPTON gave notice, that he will to-morrow ask leave to introduce a Bill to incorporate the Exchange Bank in the Town of Columbia.

Mr. HUTSON gave notice, that he will to-morrow ask leave to introduce a Bill to declare and amend the Law in relation to words of limitation in deeds and wills.

Mr. SULLIVAN gave notice, that he will ask leave on Wednesday

next to introduce a Bill to alter and arrange the times of the sitting of the Courts of Equity in the fifth Circuit.

Mr. HUNT gave notice, that he will ask leave to-morrow to introduce a Bill to provide for dispatch of business in cases of appeals from the Circuit Courts:

Also a Bill to prescribe the mode of carrying appeals from the Circuit Courts of Law, and bills of exceptions:

Also, a Bill to fix the term of office of all persons officially entitled to receive the money of citizens, and to secure more perfectly money in the hands of public officers:

Also, a Bill relative to the more perfect administration of the Estates of Intestates, and derelict Estates:

Also, a Bill to regulate the practice in the Court of Equity, and,

Also, a Bill to simplify the practice and expedite the final disposition of cases in the Courts of Law.

Mr. HAMPTON presented the return of the Commissioners of Free Schools for Richland District, for the year 1852;

And, Mr. WAGNER presented the return of the Commissioners of Free Schools for Christ Church for the same year; which were severally referred to the Committee on Education.

Mr. BOYLSTON presented the account of Britton & Mickle for public printing, which was referred to the Committee on Claims.

Mr. THORNWELL presented the return of the Commissioners of Free Schools for Marlborough District, for the year 1852; and,

Mr. DUNCAN, the return of Commissioners of Free Schools for Greenville District for the same year; which were severally referred to the Committee on Education.

On motion of Mr. POPPENHEIM, ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M., to-morrow.

On motion of Mr. TUCKER, the House was adjourned at 50 minutes past 12 o'clock, M.

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TUESDAY, NOVEMBER 23, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.



The following additional members attended and took their seats :

*From Charleston*—Messrs. J. Charles Blum, A. W. Barnett, J. B. Campbell, T. O. Elliott, Fleetwood Lanneau, H. D. Lesesne, E. McCrady, J. Saigling, jun., Peter D. Torre, and G. A. Trenholm.

*From Abbeville*.—Messrs. S. Jordan, S. McGowan, and J. K. Vance.

*From Chester*.—Messrs. W. A. Rosborough, and C. D. Melton.

*From Lancaster*.—Mr. T. K. Cureton.

*From Liberty*.—Mr. W. S. Mullins.

*From Pendleton*.—Mr. J. T. Sloan.

*From Spartan*.—Mr. H. J. Dean.

*From St. Andrews*.—Mr. W. B. Seabrook.

*From St. Bartholomews*.—Messrs. Josiah B. Perry and Peter Stokes.

*From St. George's, Dorchester*.—Mr. A. E. Mooror.

*From St. James, Goose Creek*.—Mr. J. Murray.

*From St. John's, Colleton*.—Messrs. J. J. R. Wescoat and W. M. Bailey.

*From St. Pauls*.—Mr. W. E. Haskell.

*From St. Peters*.—Mr. A. R. Johnston.

*From Union*.—Mr. B. H. Rice.

*From York*.—Messrs. W. J. Clawson, A. B. Springs, A. S. Wallace, and G. W. Williams.

Mr. Henry Gourdin, a member elect from Charleston, and Mr. D. H. Ellis, a member elect from Prince Williams, appeared, were sworn, and took their seats.

The SPEAKER then announced the appointment of the following Standing Committees of this House :

#### COMMITTEE ON PRIVILEGES AND ELECTIONS.

Messrs. John T. Sloan,

- |                              |                      |
|------------------------------|----------------------|
| 2. George N. Reynolds, jun., | 3. J. W. Tucker,     |
| 4. A. C. Garlington,         | 5. H. H. Clark,      |
| 6. A. B. Springs,            | 7. Benj. J. Johnson, |
| 8. James Sinkler,            | 9. Wm. F. Hutson,    |
| 10. Edgar W. Charles,        | 11. A. B. Flag.      |

#### COMMITTEE OF WAYS AND MEANS.

Messrs. J. Izard Middleton,

- |                        |                             |
|------------------------|-----------------------------|
| 2. George A. Trenholm, | 3. Charles P. Sullivan,     |
| 4. T. M. Wagner,       | 5. J. D. Ashmore,           |
| 6. P. Della Torre,     | 7. J. Harleston Read, jun., |
| 8. John T. Sloan,      | 9. J. Winsmith.             |

COMMITTEE ON FEDERAL RELATIONS.

Messrs. Nelson Mitchell,

- |                         |                        |
|-------------------------|------------------------|
| 2. Gabriel Manigault, . | 3. L. M. Keitt,        |
| 4. A. H. Boykin,        | 5. W. P. McBee,        |
| 6. James B. Campbell,   | 7. Wade Hampton, jun., |
| 8. Thomas O. Elliott,   | 9. N. G. W. Walker.    |

COMMITTEE ON THE JUDICIARY.

Messrs. Benjamin F. Hunt,

- |                       |                     |
|-----------------------|---------------------|
| 2. Nelson Mitchell,   | 3. H. D. Lesesne,   |
| 4. Wm. F. Hutson,     | 5. S. W. Trotti,    |
| 6. A. C. Garlington,  | 7. C. A. Thornwell, |
| 8. R. L. Tillinghast, | 9. R. B. Boylston.  |

COMMITTEE ON INTERNAL IMPROVEMENTS.

Messrs. E. C. Leitner,

- |                     |                   |
|---------------------|-------------------|
| 2. J. K. Vance,     | 3. John C. Allen, |
| 4. George Anderson, | 5. W. W. Durant,  |
| 6. E. B. C. Cash,   | 7. J. S. Lawton,  |
| 8. W. B. Seabrook,  | 9. Joseph Murray. |

COMMITTEE ON CLAIMS.

Messrs. J. D. Ashmore,

- |                       |                      |
|-----------------------|----------------------|
| 2. H. J. Dean,        | 3. Jas. B. Campbell, |
| 4. E. Alexander, jun. | 5. Saml. Cruikshank, |
| 6. Wiley Harrison,    | 7. J. D. Tradewell,  |
| 8. Thomas O. Elliott, | 9. J. M. Gadberry.   |

COMMITTEE ON MILITARY.

Messrs. Samuel McGowan,

- |                       |                       |
|-----------------------|-----------------------|
| 2. Samuel Cruikshank, | 3. J. Chas. Blum,     |
| 4. James Sinkler,     | 5. Gabriel Manigault, |
| 6. J. M. Gadberry,    | 7. B. F. Bates,       |
| 8. W. S. Pickens,     | 9. J. M. Crosson.     |

COMMITTEE ON ROADS, BRIDGES AND FERRIES.

Messrs. W. A. Owens,

- |                      |                   |
|----------------------|-------------------|
| 2. Nathaniel Morgan, | 3. A. E. Moorer,  |
| 4. Tillman Ingram,   | 5. B. H. Rice,    |
| 6. W. B. Seabrook,   | 7. W. C. Cauthen, |
| 8. Z. W. Carwile,    | 9. James Eppes.   |

TUESDAY, NOVEMBER 23, 1852.

## COMMITTEE ON PUBLIC BUILDINGS.

Messrs. Edgar W. Charles.

- |                      |                  |
|----------------------|------------------|
| 2. T. K. Cureton,    | 3. R. G. Pitts,  |
| 4. W. S. Mobley,     | 5. Wm. Maybin,   |
| 6. W. A. Rosborough, | 7. John Hudgens, |
| 8. A. I. McKnight,   | 9. J. C. Hope.   |

## COMMITTEE ON INCORPORATIONS.

Messrs. Edward McCrady,

- |                     |                        |
|---------------------|------------------------|
| 2. Josiah B. Perry, | 3. John F. Poppenheim, |
| 4. Frank Burt,      | 5. Henry C. King,      |
| 6. J. M. Crosson,   | 7. C. D. Melton,       |
| 8. C. A. Thornwell, | 9. B. H. Rice.         |

## COMMITTEE ON EDUCATION.

Messrs. Charles P. Sullivan,

- |                    |                    |
|--------------------|--------------------|
| 2. A. W. Burnett,  | 3. R. E. Campbell  |
| 4. W. C. Cauther,  | 5. S. W. Trotti,   |
| 6. Wm. E. Haskell, | 7. A. R. Johnston, |
| 8. J. W. Hearst,   | 9. Wm. M. Bailey.  |

## COMMITTEE ON ACCOUNTS.

Messrs. Frank Burt,

- |                       |                     |
|-----------------------|---------------------|
| 2. J. Chas. Blum,     | 3. James Patterson, |
| 4. Fleetwood Lanneau, | 5. Z. W. Carwile,   |
| 6. A. B. Springs,     | 7. J. W. Blakeney,  |
| 8. W. S. Mullins,     | 9. Saml. Jordan.    |

## COMMITTEE ON COLORED POPULATION.

Messrs. J. Harleston Read, Jr.,

- |                        |                         |
|------------------------|-------------------------|
| 2. J. K. Vance,        | 3. A. J. Hammond,       |
| 4. C. T. Howell,       | 5. R. Beaty,            |
| 6. John Seigling, Jr., | 7. R. E. Campbell,      |
| 8. John A. Gadsden,    | 9. Geo N. Reynolds, Jr. |

## COMMITTEE ON DISTRICT OFFICERS AND OFFICES.

Messrs. L. M. Keitt,

- |                    |                      |
|--------------------|----------------------|
| 2. R. G. Pitts,    | 3. J. Fox,           |
| 4. J. W. Blakeney, | 5. Nathaniel Morgan, |
| 6. J. B. Kershaw,  | 7. S. Christie,      |
| 8. W. S. Pickens,  | 9. John T. Green.    |

**COMMITTEE ON AGRICULTURE.**

**Messrs. P. E. Duncan,**

- |                       |                        |
|-----------------------|------------------------|
| 2. J. Fox,            | 3. Wade Hampton, Jr.,  |
| 4. W. Mazyck Porcher, | 5. William E. Haskell, |
| 6. W. P. McBee,       | 7. Olin M. Dantzler,   |
| 8. J. J. R. Wescoat,  | 9. E. B. C. Cash.      |

**COMMITTEE ON GRIEVANCES.**

**Messrs. T. K. Cureton,**

- |                    |                       |
|--------------------|-----------------------|
| 2. A. K. Johnston, | 3. James Patterson,   |
| 4. O. R. Broyles,  | 5. W. Mazyck Porcher, |
| 6. W. J. Clawson,  | 7. J. F. Ervin,       |
| 8. L. E. Cooner,   | 9. Peter Stokes.      |

**COMMITTEE ON LUNATIC ASYLUM.**

**Messrs. Thomas Thomson,**

- |                       |                        |
|-----------------------|------------------------|
| 2. H. H. Clark,       | 3. John F. Poppenheim, |
| 4. J. B. Witherspoon, | 5. J. Ervin Byrd,      |
| 6. Joseph Murray,     | 7. W. S. Mobley,       |
| 8. George R. Brown,   | 9. W. R. Johnson.      |

**COMMITTEE ON PENSIONS.**

**Messrs. G. W. Williams,**

- |                   |                      |
|-------------------|----------------------|
| 2. H. J. Dean,    | 3. A. S. Wallace,    |
| 4. A. E. Moorer,  | 5. T. C. Weatherly,  |
| 6. John C. Allen, | 7. Robert Munro, Jr. |
| 8. W. W. Steele,  | 9. J. C. Hope.       |

**COMMITTEE ON PUBLIC PRINTING.**

**Messrs. P. Della Torre,**

- |                       |                    |
|-----------------------|--------------------|
| 2. E. Alexander, Jr.  | 3. J. W. Tucker,   |
| 4. A. W. Burnett,     | 5. T. M. Wagner,   |
| 6. J. B. Witherspoon, | 7. Wiley Harrison. |

**MEDICAL COMMITTEE.**

**Messrs. J. I. Ingram,**

- |                   |                   |
|-------------------|-------------------|
| 2. B. W. Bradley, | 3. J. W. Hearst,  |
| 4. J. Winsmith,   | 5. O. R. Broyles, |
| 6. W. M. Bailey,  | 7. W. R. Johnson. |

## COMMITTEE ON VACANT OFFICES.

Messrs. Benjamin J. Johnson,

- |                       |                     |
|-----------------------|---------------------|
| 2. Fleetwood Lanneau, | 3. George Anderson, |
| 4. J. N. Shedd,       | 5. B. W. Bradley,   |
| 6. J. Ervin Byrd,     | 7. A. B. Flagg.     |

## COMMITTEE ON ENGROSSED ACTS.

Messrs. Josiah B. Perry,

- |                       |                   |
|-----------------------|-------------------|
| 2. Henry C. King,     | 3. J. B. Kershaw, |
| 4. John Seigling, Jr. | 5. W. S. Mullins. |

## COMMITTEE ON LEGISLATIVE LIBRARY.

Messrs. A. H. Boykin,

- |                    |                      |
|--------------------|----------------------|
| 2. H. D. Lesesne,  | 3. C. D. Melton,     |
| 4. R. B. Boylston, | 5. Olin M. Dantzler. |

Mr. OWENS presented the petition of Bartlett Red and Samuel Webb, praying compensation for carrying prisoners to Jail;

Also the petition of Dr. S. B. Graham, for *post mortem* examinations, and for medical services rendered State prisoners; and

Also the account of Dr. John W. Ogilvie for *post mortem* examinations; which were severally referred to the Committee on Claims.

Also the petition of sundry citizens of Barnwell District, praying that Tinker's Creek be declared a navigable stream; and

Also the petition of sundry citizens of the same district, praying that it may not be declared a navigable stream; which were severally referred to the Committee on Internal Improvements;

Also the petition of Weyhe & Wessels, praying to be refunded a double tax; which was referred to the Committee on Ways and Means; and

Also the return of the Commissioners of Free Schools for Barnwell District; which was referred to the Committee on Education.

Mr. WAGNER presented the petition of the Intendant and Wardens of the Town of Mount Pleasant, praying the appointment of Commissioners to extend Pitt-street; which was referred to the Committee on Internal Improvements.

Mr. MAYBIN presented the accounts of Drs. J. H. Thomson, J. H. Boatwright, A. W. Kennedy and J. S. Crane; which were severally referred to the Committee on Claims.

Mr. MCGOWAN presented the memorial of John A. Calhoun, Esqr. President of the "Abbeville School Association," praying that the said

Association may be rechartered ; which was referred to the Committee on Incorporations.

Also the Memorial of the Clerk of the Court of Appeals at Columbia, asking an increase of compensation ; which was referred to the Committee on the Judiciary.

Also the Petition of A. Lites, praying compensation for a slave executed ; which was referred to the Committee on Claims.

Also the Petition of the Commissioners of Public Buildings of Abbeville District, praying an appropriation to build a new Court House and Jail for said District ; which was referred to the Committee on Public Buildings.

Also the Petition of sundry citizens of Abbeville District, praying for the establishment of a new road from Asberry Church to Greenwood in said District ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. McGOWAN submitted the Presentment of Grand Jury of Abbeville District for March Term, 1852.

So much as relates to the erection of a new Jail for the District ; to the mode of appointing Commissioners of Public Buildings, and the propriety of the Treasurers of the various Boards of Commissioners giving bond and security, was referred to the Committee on Public Buildings.

So much as relates to the rates of tuition in Free Schools was referred to the Committee on Education.

So much as relates to the proper mode of maintaining public paupers was referred to the Committee on Pensions.

So much as relates to the carrying of concealed deadly weapons, and to the increase of the jurisdiction of Magistrates, was referred to the Committee on the Judiciary.

So much as relates to the practice of horse racing on the public roads was referred to the Committee on Grievances.

Mr. GREEN presented the Account of Dr. John J. Bossard for *post mortem* examination of two slaves ; which was referred to the Committee on Claims.

Mr. GREEN submitted the Presentment of Grand Jury of Sumter District for Fall Term, 1852.

So much as recommends that the jurisdiction of Magistrates in civil causes, in Sumter District, be limited to the extent of the Election Districts in which they reside, was referred to the Committee on District Officers and Offices.

So much as relates to the present condition of the Road in the Santee Swamp, at Vance's Ferry, was referred to the Committee on Internal Improvements.

So much as presents the present condition of the Free School system was referred to the Committee on Education.

So much as presents the practice of carrying concealed deadly weapons was referred to the Committee on the Judiciary.

Mr. VANCE presented the Petition of citizens of Cokesbury, praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. GARLINGTON presented the Petition of James D. Mansfield, praying to be paid arrears of pension; which was referred to the Committee on Pensions.

Also the Petition of the Wardens and Vestry of St. Luke's Church, praying an Act of Incorporation; which was referred to the Committee on Incorporations,

Also the Account of Dr. B. T. Yarborough for a *post mortem* examination; which was referred to the Committee on Claims.

Also the Return of the Commissioners of Free Schools for Newberry District for 1852; which was referred to the Committee on Education.

Mr. GARLINGTON submitted the Presentment of the Grand Jury of Newberry District for Fall Term, 1852.

So much as recommends the building of a new Jail, was referred to Committee on Public Buildings.

So much as presents the granting of tavern licenses under the Act of 1849, was referred to the Committee on Roads, Bridges and Ferries.

So much as presents the present Free School system was referred to the Committee on Education, and

So much as presents the carrying of concealed deadly weapons, was referred to the Committee on the Judiciary.

Mr. McKNIGHT presented the Return of the Commissioners of Free Schools for Williamsburg District, for 1852, which was referred to the Committee on Education, and

Also, the petition of sundry citizens of Williamsburg District, praying aid to open a cut; which was referred to the Committee on Internal Improvements.

Mr. A. R. JOHNSTON presented the accounts of Dr. David M. Laffitte, and Dr. N. H. Johnston, praying compensation for *post mortem* examinations, which were severally referred to the Committee on Claims.

Also the return of the Commissioners of Free Schools for St. Peter's Parish, for the year 1852, which was referred to the Committee on Education.

Mr. PATTERSON presented the accounts of Doctors W. W. Smith, and W. H. Haygood, for *post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. TUCKER presented the Return of the Commissioners of Free Schools for Spartanburgh District, for the year 1852; which was referred to the Committee on Education, and

Also the account of the Palmetto Standard for Public Printing, which was referred to the Committee on Claims.

Mr. HAMPTON presented the petition of the Richland Volunteer Rifle Company for recharter; which was referred to the Committee on the Military.

Also the petition of the Commercial Bank of Columbia, praying a renewal of charter; which was referred to the Committee of Ways and Means.

Also the Report of the Regents of the Lunatic Asylum; which was referred to the Committee on the Lunatic Asylum, and five hundred copies of the Report were ordered to be printed.

Mr. McCRADY presented the petition of the Planters' and Mechanics' Bank for a recharter; which was referred to the Committee of Ways and Means.

Mr. REYNOLDS submitted the Presentments of the Grand Juries of Charleston District, for Spring and Fall Terms 1852.

So much as presents the practice of running, as vacant land that which had been before granted, was referred to the Committee on the Judiciary.

So much as relates to the unlawful traffic with slaves, was referred to Committee on Colored Population.

So much as relates to the contracting of debts by minors at Colleges and Schools, was referred to the Committee on Education.

So much as relates to the Jail was referred to the Committee on Public Buildings, and

So much as relates to frivolous prosecutions,—to the delay incident to the recovery of debts, and as recommends an additional term of the Court for Charleston District, was referred to the Committee on the Judiciary.

Mr. DUNCAN presented the petition of Milly Ward, praying for a pension; which was referred to the Committee on Pensions.

Also the petition of J. P. Hillhouse, praying for the charter of a Turn-



pike Road, which was referred to the Committee on Roads, Bridges, and Ferries.

Mr. GADBERRY presented the petition of the Teachers' Association and Citizens of Union District, praying an alteration in the Free School system, which was referred to the Special Committee charged with that subject.

Also the petition of William Langston, praying leave to hawk and peddle without any charge for a license ; which was referred to the Committee on Roads, Bridges, and Ferries, and

Also the Return of the Commissioners of Free Schools of Union District for the year 1852, which was referred to the Committee on Education.

Mr. GADBERRY submitted the Presentment of the Grand Juries of Union District for Spring and Fall Terms, 1852.

So much as recommends a poll tax to be levied on all free white men, and

So much as recommends a tax to be levied, to aid in the construction of Rail Roads were referred to the Committee of Ways and Means.

So much as recommends a change of the law respecting the appointment of Guardians for free negroes, and so much as presents the practice of negroes conducting religious worship, at other places than on their masters' plantations, were referred to the Committee on the Colored Population ; And so much as recommends the establishment of a Penitentiary, was referred to the Committee on the Judiciary.

Mr. HOPE presented the return of the Commissioners of Free Schools of Lexington District for the year 1852, and

Mr. CURETON presented the return of the Commissioners of Free Schools for Lancaster District, for the same year ; which were severally referred to the Committee on Education.

Mr. TORRE presented further returns of the Managers of Elections for St. Bartholemew's ; which were referred to the Committee on Privileges and Elections.

#### GOVERNOR'S MESSAGE NO. 1.

Message No. 1, from His Excellency the Governor was then received and read by Col. Beaufort T. Watts, his private Secretary.

EXECUTIVE DEPARTMENT, }  
Columbia, November 23, 1852. }

*Gentlemen of the Senate  
and House of Representatives :*

Another year has rolled around, and brought the day when, as Representatives of the People, you have assembled together to deliberate upon

the affairs of the Commonwealth. And before I proceed to treat of the subjects which, for the good of our State, I may deem proper to bring to your attention, permit me earnestly to request that you will join me in rendering heartfelt thanks and praises to Almighty God, for the many and undeserved mercies bestowed upon us as a People during the past year. Although some portion of our State has trembled beneath the scourge of the "Pestilence which walketh in darkness and wasteth by noonday," yet we have cause for thankfulness that we have been permitted to enjoy, in other portions, more than a usual degree of health; and although we have been called upon to mourn the devastation and ruin which marked the track of the late disastrous and unprecedented flood, yet wherever its desolating effects were not felt, a rich and abundant harvest will reward the labor of the husbandman.

Terrible as has been the blow to the prosperity of our State, by the destruction of crops and bridges on our water-courses, and as deeply as we sympathize with those of our fellow-citizens who have suffered, yet we are bound to bow submissively to the afflicting rod of our Heavenly Father, and render to him the homage of grateful hearts for whatever mercies He has seen fit, in His wisdom and goodness, to vouchsafe to us, his dependant creatures.

It gives me pleasure to inform you that the same flourishing condition of our different Institutions of Learning, noticed in my last Annual Message, still continues. The South Carolina College, under the judicious and energetic management of its able President, is still progressing in its onward course of usefulness. To the already able and efficient corps of Professors, has been added during the past year, the services of Dr. Reynolds, whose high character, devoted piety, and elegant erudition, amply qualify him for the exalted station to which he has been called, and which he has thus far filled with honor to himself, and usefulness to the Institution.

The Military Academies still give evidence of increasing usefulness, and bid fair to stand as enduring monuments of the wisdom and munificence of the State, in establishing so enlightened a plan of eleemosynary education. The studies at the Citadel were suspended during a part of the past summer and fall, in consequence of the prevalence of yellow fever; but in future steps will be taken to prevent the disbanding of the corps, by encamping in some healthy region, in case this epidemic should again visit the city. The addition to the Arsenal, ordered by the last Legislature, is completed, and, with the former building, will be of sufficient capacity to accommodate all the Fourth Class, (say from ninety to one hundred.)

The last Legislature authorized the Trustees of the South Carolina College to build a Chapel, provided they did not call upon it for more than \$10,000. This building, so much needed, has been contracted for by the Trustees at \$22,000, and will be of sufficient size to accommodate 1,600 persons. The Trustees have paid \$4,000, (the first instalment,) out of the Tuition Fund, and have contracted to pay \$10,000 after the adjournment of the Legislature, and the balance when the building is completed. You will perceive from this statement that the Legislature will be only called upon for the sum which it authorized the Trustees to use. As no appropriation was made for this purpose, and as the Trustees, acting under the authority given them by the Legislature, have contracted for the pay-

ment of that sum after your adjournment, I recommend that at the present Session you make an appropriation to meet this call.

Before I leave the subject of these your cherished Institutions of learning—the one which has given to your history some of its brightest names, and the other, which, although but in its infancy, begins to show its practical utility by giving to the State the services of well-educated gentlemen, who, but for its munificence, might have grovelled forever in obscurity—permit me earnestly to invoke for them a continuance of your care and liberality.

I have endeavored, during the past summer, to inform myself thoroughly upon the subject of our Free School System; but from the want of interest generally manifested, I have been able to collect but little information. There seems to be a general belief that it works badly, except in the large cities. Conducted as they are in the country, I do not hesitate to pronounce it an almost useless expenditure of the public fund; yet I am far from being willing to recommend a discontinuance of the appropriation. The object of extending the blessings of education to the poor is too just and noble a one to be abandoned. In some of the older States, more densely populated than our own, beneficial results have been seen from it. I am sure the system could be so altered and improved as to work well with us. But to do this it would require a thorough knowledge of the subject; and it appears to me that the only way in which you could obtain that knowledge, would be to authorize the Governor to appoint a suitable and competent person to travel over the State for a year, and notice the manner of its operations, point out its defects, and suggest improvements. To do this, it must be made the specific duty of some one to collect this information; pay him for it, and require a strict performance of it at his hands. I feel more certain of the propriety of this recommendation, inasmuch as I am sustained in it by high authority. One of my predecessors called upon all the Commissioners of Free Schools to make reports of the condition of them in their respective Districts, and to suggest such alterations and improvements as they deemed necessary. These reports were placed in the hands of Dr. Thornwell and Bishop Elliott, who, after a careful examination of them, recommended the plan which I have done.

The Bank of the State, according to a Report made to me by its President, is in a highly prosperous condition. The capital is \$100,000 more than last year.

The capital in use may be set down at.....	\$3,450,000
Deduct Fire Loan Bonds, “ .....	298,500

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3,152,500

The Profits are.....	309,405
Deduct Interest on Fire Loan Bonds.....	29,680

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Leaves..... \$279,725

which is about 9 per cent. on its capital.

The Charter of this Bank expires in 1856. The short time it has to run renders it proper that you should consider the question of its re-charter at this Session. I think there are many reasons why it should be re-chartered. This Institution has proved itself to be highly useful and safe as a

fiscal agent of the State, and has aided materially in sustaining our people during the severe monetary crisis through which we have passed. As all human institutions are imperfect, no doubt but some instances of mismanagement have occurred in the conduct of its affairs. I believe that the only mismanagement that has been complained of is an overindulgence of some of its debtors. I have not been able to learn, however, that the Bank has sustained any losses from this cause. In some instances a long indulgence has secured the final payment of the debt, and at the same time enabled the creditor to secure a competence to his family, when the sudden calling in of the debts would have resulted in heavy losses to the Bank, and brought ruin and bankruptcy upon the debtor.

It is much more creditable to the management of this Institution that it should have erred in this particular, than that it should have proved a relentless creditor, by forcing sales of property at a ruinous sacrifice. If any real abuses do exist, they ought, most certainly, to be reformed. The existence of them in a system is no proof that they are incident to it, or that the system itself is a bad one.

The Charters of many of the Private Banks are about to expire; and in all probability application will be made to you for a renewal of them. Whatever may be thought of the policy of the Banking System, were the question of its introduction amongst us for the first time made, one thing is certain, it has so completely interwoven itself into all our habits of business, that to abandon it now would greatly embarrass the commercial interest, and probably bring ruin on the country. It perhaps would be wise to re-charter them all; yet some check ought to be placed upon them. I know of no other better than a strong Bank of the State.

Another argument in favor of its re-charter is the amount of taxes it saves to our citizens. During the past year, as I have already stated, its profits have amounted to \$279,725, which, of course, has relieved our people of that amount of taxation. But, above all other reasons why you should renew its Charter, the fact that the honor of the State is pledged to it should have greater influence with you than anything else. When the Fire Loan Bonds were negotiated in England by Ex-Governor McDuffie, the profits of the Bank were pledged as a security for their payment.\* Thus it would appear that a refusal to re-charter this Bank, at least until these Bonds are liquidated, would involve a violation of the pledges, affect the credit, and tarnish the honor of the State, which every Carolinian should regard as sacred as his own.

Without making a positive recommendation on the subject, I suggest to you the propriety of considering at this time whether it would not be wise under existing circumstances, to increase the capital of the Bank of the State. The great increase of all kinds of business, caused by our Railroads, calls for additional Banking Capital. Some of the large manufacturing establishments which have recently sprung up amongst us, have been greatly embarrassed during the past summer for the want of Bank accommodation. In fact, the complaint is very general on this subject. No doubt this state of things will produce applications for charters for more Banks. Now, as the Banking system has proved so highly profitable, would it not be wise to appropriate a large portion of it to the State, and thus in a measure free our people from taxation?

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\* See Mr. McDuffie's letter to Col. Elmore, *Bank Compilation*, p. 661.

But a still stronger reason for an increase, is to give it the power of acting as a check upon the private Banks. They are certainly much to be dreaded, if left entirely uncontrolled. When the condition of the country is prosperous, the temptation to expand their currency, and thus increase their profits, is almost irresistible. Such expansions cause all kinds of property to assume a fictitious value, and the whole country runs riot in the wildest speculations. Scenes of great distress always follow such periods as these, and is generally hastened and rendered still more terrible by the sudden calling in of the debts, and the contraction of the currency. In fact the value of property is almost entirely at the mercy of those who control the currency of the country. An expansion always runs it far beyond its value, and a contraction far below. Even the price of our great staple can be effected by the Banks' refusing to lend money freely, and thus seriously injure the planter.

There should be some check upon this immense, this fearful power.

I know that great fears are entertained as to the political power which a strong Bank of the State would wield—but these are rather imaginary than real, if you will reflect that it will be entirely under the control of the Legislature. Its officers are elected annually, and of course could be removed if found exerting any influence at variance with the true interests of the people. All the arguments which go to establish our fears that a corrupting influence might be exercised upon the politics of the country, would equally apply to private Banks. If there is any real danger of such influences from moneyed monopolies, it is far better that they should be under the control of the State, than that they should control the State. The Bank of the State is directly responsible to the Legislature, while the private Banks are perfectly independent of it, from the time they receive their charters, until they expire.

If you, in your wisdom, should deem that it is inexpedient to increase the capital of the Bank of the State, so as to give it the controlling influence, prudence requires that you should grant no charter to any private Bank with a capital of sufficient size to give such influence to it. No Bank should be chartered with a capital beyond a million of dollars.

The Lunatic Asylum, that charitable Institution so creditable to the humanity of the State, demands your special care and attention. Justice requires that I should again report to you not only the admirable order of its arrangement, but the devoted attention of its officers to the delicate and laborious duties they are called upon to perform.

During the past year forty-four (44) new patients have been received, thirty of whom are pay patients, and twenty-eight of those heretofore under treatment have been dismissed, either entirely cured or greatly benefitted. The buildings are now not only full, but crowded. I was particularly struck with the want of room in the enclosed grounds. They are altogether too much confined either for the comfort of the patients, or the degree of exercise which might conduce to their final cure. The improvements of the age have shown that the original building was improperly constructed; but the additions which are hereafter made can be done in accordance with those improvements which will greatly remedy the defect.

If the Legislature will grant a further appropriation, it is proposed to enclose, with a wall, four acres of the lands belonging to the Asylum on

the east side of it, and erect suitable buildings to accommodate the female patients. For this purpose, the Regents, Physician and Superintendent ask an appropriation of thirty thousand dollars. This will enable them better to provide for the reception of pay patients, which will greatly relieve the State of the burthen of the Institution, perhaps to a sufficient extent even to reimburse it for the amount of the appropriation; as for the want of such accommodations many, who are able and willing to pay highest, are carried to other Institutions. All must feel it to be the duty of a State to provide for that unfortunate class of our fellow creatures who have been deprived of reason. Yet none can feel that duty with a degree of intensity which their helpless and deplorable situation demands, but those who have been brought in contact with them. I am sure, if you all could be eye witnesses to their sufferings, you would feel yourselves called upon by every consideration of humanity and Christianity, to place within their reach all the means that science has discovered for their cure, and to make your Institution not merely a prison house, but really an Asylum. Those who have watched this Institution with a paternal care, and have no interest apart from its good, who have carefully considered its wants, ask this appropriation at your hands. I trust you will not refuse it.

A memorial from the Directors of the South Carolina Institute is herewith transmitted, to which I invite your attention. This Institute, established for the encouragement of all the industrial pursuits of the country, was incorporated by an Act of the Legislature in 1850. One fair was held previous to its incorporation, and two since that time, which have given a most gratifying evidence of its success in promoting the great object for which it was established. When we reflect how far behind our State has been in the great race of the improvement of the mechanic arts, the exhibition of mechanical skill and ingenuity, which the *fairs* of this Institute have developed, must be a source of pride and satisfaction to every one who has the real interests of his country at heart. They have clearly shown that there was no want of talent or energy on the part of our mechanics, but that it only required some stimulant of this kind to spring it into life. These exhibitions are common to all those States which have been most remarkable for their improvements in the mechanic arts, and have received the particular patronage of their Legislatures.

This Institution has been established by the private enterprise of its founders, to effect a great public good; and while it reflects credit upon their public spirit, deserves your patronage. Since it was founded, the articles offered for exhibition have been so numerous, that no hall can be found of sufficient capacity to contain them. The necessity of building another has induced them to call upon you for aid to construct it. By giving this aid, you adopt the most enlightened plan of encouraging all the industrial pursuits of the country; but more particularly the mechanic arts, which have heretofore been too much neglected. *Encourage your own mechanics*, by bringing the results of their talent and enterprise into notice, and it will be seen that our State will rival any other in useful improvements. *Neglect* them, and you will find that they will seek some more favored region, where their skill will be appreciated and rewarded.

The Attorney General, at my request, has drawn up a report on the subject of Prisons and Prison Discipline, to which he has added a report on the Criminal Law. As it contains much valuable information, and many

important suggestions, I herewith transmit, and invite your attention to it.

Without pretending to enter fully upon the subject, I will state a few reasons to show there ought to be a change in the management of Prisons, and also in the manner of executions.

There is no provision made for the separation of the different classes of prisoners. The youth who for the first time has been convicted of some small offence, and upon whom the punishment of imprisonment might have so salutary an effect as to bring about his reformation, if left alone to the workings of his own conscience, is confined with the hardened felon, and, of course subjected to his pernicious influence. The debtor, who is perhaps more unfortunate than criminal, is herded with the felon and murderer. Good sense, as well as justice and good taste, revolt at this state of things.

A change ought to be made in the manner of Executions. All *public* executions are demoralizing to the community, and fail to produce the effect upon it they were intended to produce. A morbid curiosity collects thousands together to witness them, and when the criminal is brought forth for execution, the natural sympathies of the crowd convert him into a hero or martyr. Thus, much more of pity than terror is inspired by the exhibition. Or where, by frequent recurrence, they become familiar, from some strange perversity of human nature, a vulgar taste is inspired for them, which is revolting to witness. It is a familiar fact, that during the Reign of Terror in France, when the streets of Paris were flowing with the blood of innocent victims, the populace actually clamored for more executions, when each individual was not sure but that his head would be the next to be brought to the guillotine. If it is intended to strike terror to the heart of the multitude, by witnessing executions, the very publicity of them defeats this end. Much more of terror would be inspired by the knowledge, that at the tolling of a bell, or some other signal, a human being, within the narrow compass of his cell, was launched into eternity, unsustained in his last dark moments by the sympathies of a surrounding multitude.

If the punishment of whipping is to be continued, that, too, were better done in private. I doubt exceedingly, however, the propriety of this mode of punishment under any circumstances. Reformation of the culprit (one of the important ends of punishment) is seldom or ever effected by it. If one spark of good, upon which a hope of reformation can be built, is left in his heart, it is entirely extinguished by the degradation of a public whipping. If he is already hardened in crime, and lost to all sense of shame, no other effect is produced upon him beyond the physical pain inflicted by the lash. I think that the general feeling of our people is decidedly opposed to this mode of punishment; so much so, that it is exceedingly difficult for the Executive to resist the earnest appeals and powerful influences brought to bear upon him, either to remit or change it.

But I will not trespass on your time by pursuing the subject further. I merely wish to draw your attention to it. This subject, together with the revisal of our whole Criminal Code, requires a more careful examination than you would probably be able to give it during a short session of the Legislature. I therefore recommend that you appoint, or authorize the Governor to appoint, a Commission, consisting of the Attorney Gene-

ral and the Solicitors, or some other competent persons, to take the whole subject of our Criminal Law, Prisons and Prison Discipline, under consideration, and report to the next Legislature such changes as may be expedient or necessary. In this manner, all the facts and statistics necessary to form a correct judgment on the subject will be brought before you by those who are most familiar with them.

By a joint resolution of the last General Assembly, I was requested to communicate with the Governor of Georgia on the subject of the "obstructions to commerce and intercourse between the two States, and to take such other steps as would lead to a full exposition and understanding of the rights of all parties concerned, and to a frank and friendly settlement of the whole matter." On the 6th of May, I addressed a letter to his Excellency Governor Cobb, in accordance with the spirit of the said joint resolution, and requested the Attorney General to look into the matter, and report to me what were the legal rights of the parties concerned. I have received as yet no direct reply from Governor Cobb. My letter to him, together with the correspondence between the Attorney General and the Executive Secretary of Georgia—the statement of the Attorney General, and the result of his legal investigations of the case, embodied in the form of a Report, are all herewith transmitted.

I think it, however, proper to state, that the question of the boundaries between the two States has lost much of its interest at present, since an arrangement has been made by the President of the South Carolina Railroad Company with the city authorities of Augusta, by which a free passage across the Savannah river is secured to the Company.

I feel it my duty to call your attention to certain proceedings which have grown out of the enforcement of that law of our State, which requires the Sheriff of Charleston to seize and imprison colored seamen who are brought to that Port. You will remember that the British Consul addressed a communication to the Legislature in December, 1850, on the subject of a modification of this law. A Committee was appointed by the House and Senate to report upon it at the next Session of the Legislature. These Committees reported adverse to any modification. On the 24th of March, 1852, Manuel Pereira was imprisoned in accordance with the law alluded to. The vessel in which he sailed was driven into the port of Charleston in distress. This was looked upon as a favorable case upon which to make an issue, as so strong an element of sympathy was connected with it. Accordingly, a motion was made before Judge Withers for a Writ of "*Habeas Corpus*," which was refused by him. These proceedings were instituted by the British Consul, it is said, under instructions from his Government, to test the constitutionality of the Act. I think it here proper to state, that Pereira was at perfect liberty to depart at any moment that he could get a vessel to transport him beyond the limits of the State. In truth, in consideration of the fact that his coming into the State was involuntary, the Sheriff of Charleston, with his characteristic kindness, procured for him a place in a ship about to sail for Liverpool. Early in April, Pereira was actually released, and on his way to the ship, having himself signed the shipping articles, when, by interposition of the British Consul, he was again consigned to the custody of the Sheriff. A few days after this the British Consul insisted no longer on his detention, but voluntarily paid his passage to New York. This was



looked upon as an abandonment of that case. The statement of Mr. Yates, together with the letter of the British Consul, are herewith transmitted.

While these proceedings were pending, the Sheriff of Charleston had my instructions not to give up the prisoner, even if a writ of *Habeas Corpus* had been granted. I considered that the "Act of 1844," entitled "An Act more effectually to prevent negroes and other persons of color from entering into this State, and for other purposes," made it my duty to do so.

On the 19th of May, Reuben Roberts, a colored seaman, a native of Nassau, arrived in the steamer Clyde, from Baracoa. The Sheriff of Charleston, in conformity with the law of the State, which has been in force since 1823, arrested and lodged him in the district jail, where he was detained until the 26th of May, when, the Clyde being ready to sail, Roberts was put on board, and sailed the same day.

On the 9th of June, a Writ in Trespass, for Assault and False Imprisonment, from the Federal Court, was served upon Sheriff Yates, laying the damage at \$4,000.

The Act of 1844, I take it, was intended to prevent all interference on the part of any power on the face of the earth with the execution of this police regulation, which is so essential to the peace and safety of our community. Had the Legislature which passed it ever dreamed that the Sheriff was to be subjected to the annoyance of being dragged before the Federal Court for doing his duty under a law of the State. I am sure it would have provided for his protection. As no such provision has been made for so unexpected a contingency, I recommend that you so amend this Act of 1844, that it may meet any case that may arise.

It is certainly wrong to tolerate this interference with the laws enacted for the protection of our institution. In the general distribution of power between the Federal and State Governments, the right to make their own police regulations was clearly reserved to the States. In fact, it is nothing more nor less than the *right of self-preservation*—a right which is above all Constitutions, and above all laws, and one which never was, nor never will be, abandoned by a people who are worthy to be free. It is a right which has never yet been attempted to be denied to any people except to us.

The complaint against this law is very strange, and the attempt to bring us in conflict with the General Government on account of it, is still more remarkable; when, so far from its being at variance with the laws of the United States, it is only requiring the State authorities to enforce an act of Congress, approved February 28th, 1803, entitled, an Act to prevent the importation of certain persons into certain States, where, by the laws thereof, their importation is prohibited.\* By referring to this Act, you will see that the plaintiff in the action alluded to, was prohibited by it from entering into this State. I deem it unnecessary, however, to enter fully into the argument. If any doubt should be entertained by you, as to its constitutionality, I beg leave to refer to the able opinion of the Hon. J. McPherson Berrien, delivered at the time he was Attorney General of the United States, which I herewith send you.

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\* See 2d Story's Laws U. S., p. 886.

On the subject of the modification of this law, I am free to say, that when Her B. M.'s Government, through its Consul, made a respectful request to our Legislature to that effect, I was anxious that it should be made. It was with pleasure that I transmitted his first communication to the last Legislature. I would have made a recommendation of its modification a special point in my first Message, but that I thought it indelicate to do so, as the matter was already before the Legislature, and committees had been appointed to report upon it. Another reason for the neglect of this recommendation, was the then excited state of party politics, which might have precluded the possibility of a calm consideration of the subject. But for the proceedings instituted in the premises, I would even now recommend a modification of the law, so as to require captains to confine their colored seamen to their vessels, and to prevent their landing under heavy penalties. For while I think the State has a perfect right to pass whatever laws on this subject it may deem necessary for its safety, yet the spirit of the age requires, that while they should be so formed as to be adequate to our protection, they should be at the same time as little offensive as possible to other nations with whom we have friendly relations. But since an attempt has been made to defy our laws, and bring us in conflict with the Federal Government, on a subject upon which we are so justly sensitive, our own self-respect demands that we should not abate one jot or tittle of that law, which was enacted to protect us from the influence of ignorant incendiaries.

It gives me pleasure to inform you that the Railroads of our State are rapidly progressing. The Columbia & Charlotte Railroad, and the King's Mountain Road, are completed. Although heavy damages were sustained by the Greenville Road from the late freshet, they will soon be repaired, and, under the energetic management of its President and Directors, will ere long be completed. The Manchester Road is also progressing rapidly. Already do we see the potent effects of these Roads in developing the resources of the State, and springing into life the energies of the people. The prosperity which follows in their track, is no longer problematical. Living witnesses of it are all around us. Yet this grand system, which is to bring wealth and prosperity to us, and energize into action resources which were heretofore dormant, has just begun. If we would realize their full effects, they must be extended until the rich commerce of the mighty valleys of the West is poured into Charleston. This can easily be effected, by pursuing a liberal and enlightened policy towards them—a policy worthy of the age in which we live. The golden opportunity to command this trade is within our reach. Charters have been granted by the several States through which it will pass for the Blue Ridge Road, which is to cross the Rabun Gap, and extend through Clayton and Franklin to Calhoun, where it will intersect the Knoxville and Dalton Road. Through Knoxville a communication will be opened to Cincinnati, (as a Charter has been granted by Tennessee for a Road with the Kentucky line, and a Company is formed in Kentucky to carry it on to Cincinnati.) A road is now in progress to connect Calhoun with Chatanooga. From Chatanooga to Memphis, a road has already been built, and the Chatanooga road connects it with Nashville. A road is also about to be made between Nashville and Cairo. Thus you will perceive, that if the Blue Ridge Road is built, commencing at Anderson Court

House and extending to Calhoun, Charleston will be connected by a system of Roads, not only with Cincinnati, but with Memphis and Cairo, two important points on the Mississippi river, and at a distance from each other, equal to the entire breadth of Tennessee, and nearly one-third of Kentucky. All the immense trade which the Mississippi and its tributaries bring to this important point, together with that of the fertile regions through which these roads and their numerous feeders pass, must find its outlet through Charleston. At a single glance, you must perceive the magnificent prospect it presents. It would be a suicidal policy in our State, not to secure this gigantic commerce, now that it is within its reach. But to secure it, the Legislature must subscribe liberally. So great are the advantages it presents, so great the prosperity which it will bring, the State could well afford alone to build this only link which is now wanting in this mighty chain. But there is no call for this. Charleston, I am informed, will subscribe half a million, and even more, if necessary. Enough has already been subscribed in North Carolina to secure the Charter of that State, and Tennessee, by her general system of liberality to her roads, gives \$8,000 per mile. As deeply interested as all these States are in this grand scheme, none are so deeply so as South Carolina. I therefore recommend that you subscribe a million of dollars to this road, or even more, if it be necessary to complete it. Even if the stock never paid a dollar of interest, it would be a judicious expenditure on the part of the Legislature. But from the fact that it must inevitably be the great thoroughfare over which the commerce of five or six of the largest States in this Union will pass, together with the immense amount of travel, which, from its position it will command, there cannot be a doubt but that the stock will pay a heavy interest, and thus make the investment a profitable one for the State. And if we add to this consideration the fact that it will increase greatly the business, and consequently the profits of the roads already built, in which the State has a large amount of stock, you will see a still further inducement for fostering the enterprise.

I trust that no sectional feeling will be brought to bear on this question. It is a great State matter. It is true that the interest of Charleston will be more promoted than any other section of our State, but the wealth which will be poured into her lap, will be radiated throughout its entire extent.

There is also, I believe, a project on foot to extend the Charlotte Road so as to command a portion of this trade. These two projects cannot interfere with each other, and therefore ought not to be considered antagonistic; but rather assisting each other in carrying out a grand plan of improvement. When application is made for assistance to extend this road, the same liberality ought to be extended to it. The State cannot spend too much money in the construction of Railroads, providing they are *judiciously located*, and *economically* built; for every dollar will be returned four-fold to its citizens by the advantages they afford. Nor will it be necessary to tax the people for this purpose. Borrow the money, and the roads themselves will soon pay the interest, and gradually liquidate the debt.

By a Joint Resolution of the last General Assembly, a Committee was appointed to inquire into the feasibility of deepening, shortening, or in any other manner improving, the Channel of the Bar and other approaches of the Charleston Harbor.

When the Commission held its first meeting, we found that the Chamber of Commerce already had the matter under consideration. I feel it due to that enlightened and public-spirited association, publicly to acknowledge the kindness and courtesy extended to the Commission, in placing at our disposal the information which it had already collected.

The Chamber of Commerce had memorialized the Congress of the United States, calling its attention to this work as one of national utility and importance, and asking an appropriation for the purpose of carrying it out. The Congress of the United States appropriated \$50,000. The Commission took no part in this memorial, but employed a portion of the fund allowed by the State to defray the expenses of a preliminary survey. The result of this survey has afforded the most gratifying assurance of the practicability of opening the Bar. I must also acknowledge the courtesy and kindness of the officers of the Coast Survey, who placed at our disposal the maps of the Harbor, and co-operated cordially with the Commission in carrying out the survey. The vast importance of this work to the future prosperity of Charleston, renders it an object of peculiar interest to the State. It is scarcely possible to estimate what amount of expenditure its vast importance would justify. There is, however, no need at present for the State to make any further appropriation for this purpose, as the Federal Government has taken it in hand. It will, perhaps, however, be well to continue the present Commission until the work is actually commenced by the Government of the United States.

The Report of Prof. Bache, the Report of the Commission, together with an account of the expenditure of a portion of the fund appropriated by the Legislature, is herewith transmitted.

In pursuance of an Act of the last Legislature, the State Convention met at the appointed time. The proceedings of that body, together with the expenses incurred, are herewith transmitted to you in accordance with its request.

Perhaps there never was a body assembled under circumstances of so much embarrassment, and which called for an exercise of such prudence, sagacity, and devoted patriotism on the part of its members. The same causes of complaint against the Federal Government which called it into life, still existed in full force. No evidence had been given that its onward progress towards a consolidated despotism was stayed, or that any barrier had been erected against that tide of fanaticism, which, with fearful rapidity, was still rolling on, threatening the overthrow of the institutions of the South. No security was afforded us that we should not forever remain in a state of vassalage to the Federal Government, paying far beyond our just proportion of its expenses, and receiving far less than our share of the benefit of its expenditure. Nor do I believe that any change had taken place in the feelings and opinions of the people of our State. An almost universal feeling of indignation at our wrongs, and a burning desire to redress them, prevailed. But discord and party strife, which have blasted the success of many a glorious cause, had raised its head among us, and paralyzed our strength. One party believed that the time had come when every consideration of policy and duty required that the State should act, even though it should stand alone. Another party believed the separate action of the State would be ruinous, and that the co-operation of the other Southern States, whose interests and destiny were the same as

ours, could and would be obtained. No doubt but that both parties were honest in their convictions, that the policy recommended by each, would redound to the welfare of our State. The discussion of these conflicting opinions produced the bitterest party feeling. Amid the convulsive throes of this fierce strife, the question of our wrongs was almost forgotten. Thus did our State present the mournful spectacle of a people, whom common wrongs and common dangers should have united in closest bonds, completely prostrated and paralyzed, not by the force and power of the enemy, but by their own internal strifes. It was too plainly seen that any action, under existing circumstances, could end in nothing else but self-destruction. Many a bold and gallant heart, that had never quailed before the power of the Federal Government, grew faint at the prospect, and shrank from the thought of civil strife.

The people had, by a large majority, passed their verdict against separate secession, in the election which had been recently held for members to a Southern Congress. Under these circumstances, the Convention met. The only course which wisdom and patriotism could suggest was pursued, namely, to heal the wounds which had lately been inflicted, and re-unite the State. I can but congratulate you on the happy result. The members of that Convention, actuated by a spirit worthy of the palmiest days of our Commonwealth, determined to bury all bitter feelings which had been generated by the late contest, and act with an eye single to the good of the State, under the circumstances which then existed. Nor do I think, in effecting this great object, that any sacrifice of principle was involved. The principles which have ever been held dear amongst us, were not only re-affirmed, but set forth in the solemn form of an Ordinance.

But sincerely as I feel the gratification of announcing to you that the State has been united, I must call upon you to remember that our safety has *not* yet been secured. The storm which, one day or other, is destined to burst upon us, is still brewing. The great feature of the Compromise, which induced our sister Southern States to accept it, has been openly violated. In one of the Northern States, the Fugitive Slave Law has been nullified; and in all the others it is but a dead letter. A brutal murder of a slaveholder has been the result of an attempt to reclaim a slave under this vaunted law. The spirit of mischief is working with fearful energy. Agitation still goes on with ceaseless activity. Every element which can be made to operate on public opinion is put in action against our institutions. Even that powerful weapon, the literature of the country, is employed to direct its polished but poisoned shafts against them. It is true that nothing has been done by Congress, since your last session, against which we can complain. Judging, however, from the elements which are at work, and from the history of the past, we cannot hope that this cessation from hostile acts against our institutions will be of long duration. Amid all our prosperity, and the still greater prosperity which we would enjoy if left alone, the heart sickens at the contemplation of that fierce fanaticism which is at work, and which hangs like a pall upon our future. However strong may be my convictions as to the propriety of an attempt to stay the coming storm by the separate action of the State; and however deeply I may deplore the decision to which our people have come upon this subject, God forbid that I should fan into a flame the expiring embers of party strife, by now recommending it to you. Our destiny, for

weal or for woe, is connected with the whole South. Further aggression (which will surely come) will convince our sister Southern States that the institution upon which not only the prosperity of the South, but Republicanism itself depends, is no longer safe in the Union. Then we may hope that they will rise in the majesty of their strength and spirit, and, in conjunction with us, either force our rights to be respected in the Union, or take our place as a Southern Confederacy amongst the nations of the earth. In the meantime, let us unite, heart and hand, in carrying out those great schemes of internal improvement, by which the wealth and resources of our State will be developed, and thus give it all the power and strength of which it is capable.

JOHN H. MEANS.

On motion of Mr. READ, the Message was made the special order of the day for one o'clock, P. M. to-morrow, and two thousand copies of the Message were ordered to be printed.

Mr. TILLINGHAST submitted the presentment of the Grand Jury of Beaufort District for Fall Term, 1852.

So much as relates to the repair of Bridges, to the Saltketcher Bridge, and to the Union ferry road, were referred to the Committee on Roads, Bridges, and Ferries.

So much as relates to the Free School system was referred to the Committee on Education.

So much as relates to the execution of persons of color was referred to the Committee on the Judiciary.

Mr. KERSHAW presented the Account of Dr. William L. Pickett for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. KERSHAW submitted the Presentment of the Grand Jury of Kershaw District for Spring Term, 1852.

So much as relates to the Free School system was referred to the Committee on Education; and so much as relates to the carrying of concealed deadly weapons was referred to the Committee on the Judiciary.

Mr. CHRISTIE presented the Petition of Pleasant Grove Baptist Church, Edgefield District, for an Act of Incorporation; which was referred to the Committee on Incorporations.

Also the Petition of George W. Dorn for the balance of a pension due James Head, deceased; which was referred to the Committee on Pensions.

Also the Return of the Commissioners of Free Schools for Edgefield District, for 1852; which was referred to the Committee on Education.

Mr. HOWELL submitted the Presentment of the Grand Jury of Richland District for Fall Term, 1852.

So much as presents the present Road Law was referred to the Committee on Roads, Bridges and Ferries ; and

So much as presents the Free School system was referred to the Committee on Education.

Mr. FLAGG presented a Petition to re-charter the Episcopal Church of All Saints Parish ;

Also a Petition to renew the Charter of the All Saints Academy ; which were severally referred to the Committee on Incorporations.

Also the Return of the Commissioners of Free Schools of All Saints for the year 1852 ; which was referred to the Committee on Education.

Mr. CROSSON presented the Petition of the members of Head Spring Church, Newberry District, praying for incorporation ; which was referred to the Committee on Incorporations ; and

Also the Account of Dr. T. W. Thompson for a *post mortem* examination ; which was referred to the Committee on Claims.

Mr. JOSIAH B. PERRY presented the Petition of Emanuel Witsell, praying for the re-charter of Jacksonboro' Ferry ;

Also the Petition of Moses West, praying the re-charter of Rumph's Bridge, over Edisto river, formerly Giveham's ; which were severally referred to the Committee on Roads, Bridges and Ferries.

Also the Petition of Dr. Josiah B. Fishburne, praying payment for a *post mortem* examination ; which was referred to the Committee on Claims ; and

Also the Return of the Commissioners of Free Schools for St. Bartholomews for the year 1852 ; which was referred to the Committee on Education.

Mr. CAUTHEN presented the Petition of citizens of Lancaster District, praying the incorporation of Flat Creek Church and of Providence Baptist Church ; which were severally referred to Committee on Incorporations.

Mr. DUNCAN presented the Petition of Massena Taylor, former Sheriff of Greenville District ; and

Mr. BLUM presented the account of the Charleston Courier for printing ; which were severally referred to the Committee on Claims.

Mr. BURT presented the petition of citizens of Pickens, praying the discontinuance of a Road :

Also, the petition of citizens of the same District, praying that the charter of a turnpike road, from Dr. Earle's store to Table Rock, may not be renewed :

Also, the petitions of citizens of Anderson, praying the repeal of an Act to lay out a new Road from Anderson to Pendleton; which were severally referred to the Committee on Roads, Bridges and Ferries.

Also, the petitions of citizens of Pendleton District, praying a division of said District; which were severally referred to the Committee on the Judiciary :

Also, the petition of F. N. Garvin, praying compensation for damages done to his lands by the passage of a public road through it :

Also, the petition of Dr. L. B. Johnson, praying compensation for medical services rendered to a prisoner in Pickens jail; which were severally referred to the Committee on Claims.

Mr. BURT submitted the Presentment of the Grand Jury of Anderson District for Spring Term, 1852, recommending an extension of the Greenville and Columbia Rail Road to the West by the Rabun Gap; which was referred to the Committee on Internal Improvements.

Mr. BOYLSTON presented the petition of Mrs. E. F. Ellet, praying that her "Domestic History of the Revolution" may be introduced into the Free Schools of this State; which was referred to the Committee on Education.

Mr. WESCOAT presented the return of Commissioners of Free Schools of St. John's, Colleton, for the year 1852, which was referred to the Committee on Education.

Mr. SLOAN presented the petition of citizens of Pendleton District, praying a division into two election Districts, which was referred to the Committee on the Judiciary ;

Also, the petition of Nancy Keith, praying the renewal of the charter of a turnpike road to Table Rock :

Also, the petition of citizens of Pendleton, praying the repeal of an Act to lay out a new road from Pickensville to Pickens Court House :

Also, the petition of citizens of Pickens, praying that the road from Pendleton to Pickens Court House, passing near Benson's Mills, be not discontinued; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. MURRAY presented the return of the Commissioners of Free Schools for St. James, Goose Creek, for the year 1852; which was referred to the Committee on Education.

Mr. SULLIVAN presented the account of R. M. Stokes for public printing :

Also, the account of J. J. Atwood, Sheriff of Laurens, for serving



writs for a special election of Senator, and also for blankets and clothing furnished prisoners in jail :

Also, the account of Dr. Irby Dunklin for medical services rendered a slave in jail, under sentence of death ; which were severally referred to the Committee on Claims.

Mr. BYRD presented the returns of the Commissioners of Free Schools for Darlington District, for the year 1852 ; and

Mr. WITHERSPOON presented the return of Commissioners of Free Schools of Claremont, for the same year ; which were severally referred to the Committee on Education.

Pursuant to notice, and by leave of the House,

Mr. POPPENHEIM introduced a Bill, shewing the manner in which Electors for President and Vice President of the United States shall hereafter be elected in South Carolina ; which was read the first time, and was made the special order of the day for Monday next, at 1 o'clock, P. M. in Committee of the whole House.

Mr. KEITT gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the 10th Section of the 1st Article of the Constitution, so as to change the time of the meeting of the General Assembly every fourth year.

Mr. KEITT submitted the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That a special joint Committee be appointed, consisting of one from each Judicial District, on the part of this House, to re-district the State in conformity with the last census, and the Act of Congress pertaining thereto ; and that a message be sent to the Senate requesting the appointment of a similar Committee.

Mr. TUCKER gave notice that he will ask leave to-morrow to introduce the following Bills :

A Bill to authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road ; and

A Bill to alter and amend the law in relation to the jurisdiction of Magistrates in certain cases.

Pursuant to notice, and by leave of the House,

Mr. HUTSON introduced a Bill to declare and amend the law in relation to words of limitation in Deeds and Wills : which was read the first time, and referred to the Committee on the Judiciary.

Mr. MIDDLETON gave notice that he will, on Thursday next, ask

leave to introduce a Bill to define the principles on which joint stock banks shall be incorporated.

Mr. ELLIOTT gave notice that he will ask leave to-morrow to introduce a Bill to abolish the laws against usury.

Mr. McKNIGHT gave notice that he will, to-morrow, ask leave to introduce a Bill to provide for the revision and codification of the Statute Law of this State.

Pursuant to notice and by leave of the House, Mr. LEITNER introduced a Bill to restore the law authorizing the appointment of sutlers at muster grounds, upon certain conditions ; which was read the first time and referred to the Committee on the Military ;

Also a Bill providing compensation for Managers of Elections ; which was read the first time and referred to the Committee on Privileges and Elections ;

Also a Bill to enable planters and farmers to prove accounts made by them in the sale of their own produce ; which was read the first time and referred to the Committee on the Judiciary ; and

Also a Bill to alter and amend the law in relation to the education of the deaf and dumb of this State ; which was read the first time and referred to the Committee on Education.

Mr. BLAKENEY gave notice that he would ask leave to-morrow to introduce a Bill to repeal "an Act entitled an Act to increase the amount of property exempt from levy and sale."

On motion of Mr. BRADLEY,

*Ordered*, That when this House adjourns, it shall be adjourned to meet at 12 o'clock M. to-morrow.

Mr. TORRE gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the "Fireman's Insurance Company of Charleston."

Pursuant to notice and by leave of the House, Mr. HUNT introduced the following Bills ; which were severally read the first time and referred to the Committee on the Judiciary :

A Bill to punish criminally public officers converting to their own use monies entrusted to their keeping ;

A Bill concerning derelict estates, and the partition and sale of real estate by the Ordinary ;

A Bill to regulate the future issuing of grants of land ; and

A Bill to secure planters and factors from frauds under pretence of cash sales of produce.

On motion of Mr. GREEN, the House was adjourned at 45 minutes past 2 o'clock, P. M.

## WEDNESDAY, NOVEMBER 24, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following additional members attended and took their seats :

*From Charleston.*—Messrs. Nelson Mitchell, S. Cruikshank.

*From St John's Berkley* —Mr. James Sinkler.

The SPEAKER announced that Mr. Henry Gourdin, member from Charleston, is added to the Committee of Ways and Means:

That Mr. D. H. Ellis, of Prince Williams, is added to the Committee on the Military : and,

That Mr. J. N. Shedd, of Fairfield District, is added to the Committee on the Military.

On motion of Mr. DANTZLER, the Reporter of the Carolinian was allowed a seat on the floor of this hall.

On motion of Mr. WINSMITH, the Reporter of the Carolina Spartan was allowed a seat on the floor of this hall.

On motion of Mr. SHEDD, the Reporter of the Fairfield Register was allowed a seat on the floor of this hall.

On motion of Mr. BURT, the Reporter of the Charleston Courier was allowed a seat on the floor of this hall.

Mr. SEABROOK presented the return of the Commissioners of Free Schools for St. Andrews ; and

Mr. CLAWSON, the return of the Commissioners of Free Schools for York ; which were severally referred to the Committee on Education.

Mr. HAMMOND presented the memorial of sundry citizens of South Carolina, praying for a charter to construct a Rail Road from Hamburg up the valley of the Savannah river, to connect with the Rabun Gap, and for the construction of a branch of said Road to Greenwood, in Abbeville District ; which was referred to the Committee on Incorporations.

Mr. WAGNER presented the petition of the inhabitants of Moultrieville, praying to have Commissioners appointed to remove obstructions from the streets and to define their lines.

Mr. SEIGLING presented the petition of house owners and residents of Moultrieville against an extension of corporate powers, and against appointment of Commissioners ; which were severally referred to the Committee on Incorporations.

Mr. SEIGLING also presented the memorial of City Council of Charleston, praying an enlargement of the appropriation for the transient poor; and,

Also, an abstract of expenditures for the city and transient poor of Charleston for the year 1852; which were severally referred to the Committee of Ways and Means.

Mr. MAYBIN presented the petition of James Fuller, praying that his title to lots No. 29 and 30 in the town of Columbia, be confirmed to him; which was referred to the Committee on the Judiciary.

Mr. READ presented the account of Dr. W. C. Miller for *post mortem* examination, which was referred to the Committee on Claims.

Mr. READ submitted the presentment of the Grand Jury of Georgetown District:

So much as relates to negro trading in that District was referred to the Committee on Colored Population; and,

So much as relates to the use of decoys and of nets in the taking of ducks and of fish, was referred to the Committee on Grievances.

Mr. ERVIN presented the accounts of Drs. J. K. & T. A. Dargan, and of Dr. E. J. Flinn, for *post mortem* examinations; also the accounts of Norwood & De Lorme for public printing; which were referred to the Committee on Claims; and,

Also, the petition of sundry citizens of Darlington, praying for additional legislation to prevent the obstruction of the passage of fish up Lynch's creek; which was referred to the Committee on Internal Improvements.

Mr. ERVIN submitted the presentment of the Grand Jury of Darlington District for Spring Term, 1852, presenting the traffic between white persons and negroes, and approving of recommendation of Grand Jury for Charleston District, Spring Term, 1852; which was referred to the Committee on Colored Population.

Mr. VANCE presented the petition of the Greenwood Agricultural Society, praying the transfer of certain funds; which was referred to the Committee on Agriculture; and,

Also, the petition of sundry citizens of Abbeville District, praying the opening of a new road from Asbury Church to Greenwood depot; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MCGOWAN presented the return of Commissioners of Free Schools for Abbeville District for 1852; which was referred to the Committee on Education.

Mr. J. I. INGRAM presented the petition of the Eastern Board of Commissioners of Roads for Clarendon, praying for a new road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. BURNET presented the accounts of Charleston Mercury for public printing ; which was referred to the Committee on Claims.

On motion of Mr. BURNET, the reporter of the Charleston Mercury was allowed a seat on the floor of this Hall.

Mr. SULLIVAN presented the accounts of Doctors John H. Henry and N. Henry ; which were severally referred to the Committee on Claims.

Mr. SULLIVAN also presented the Report of the President and Directors of the Bank of the State of South Carolina ; which was referred to the Committee of Ways and Means, and ordered to be printed.

Mr. WILLIAMS presented the petition of sundry citizens of York District, praying for the repeal of the Act of the Legislature to increase the amount of property exempt from levy and sale ; which was referred to the Committee on the Judiciary.

Also the petition of sundry citizens of York District, praying the establishment of a new place of election ; which was referred to the Committee on Privileges and Elections.

Also the petition of the members of Trinity Lodge, No. 22, Independent Order of Odd Fellows, praying for an Act of Incorporation ; which was referred to the Committee on Incorporations ;

Also the petition of Charles McIlwain, praying payment of a claim against the State for a lost jury ticket ; which was referred to the Committee on Claims.

Mr. JOSIAH B. PERRY presented the petition of Dr. Josiah B. Fishburne, praying payment for his medical services ; also the petition of Sarah Branch, praying payment of a claim against the State ; which were referred to the Committee on Claims.

Also the memorial of sundry citizens of Walterborough, praying the appointment of Trustees for the Walterboro' Academy ; which was referred to the Committee on Education.

Also the petition of the General Board of Commissioners of Roads of St. Bartholomew's Parish, praying that the " Salt Ketcher Bridge " may be made a Toll Bridge ; which was referred to the Committee on Roads, Bridges and Ferries.

Also the memorial of sundry citizens of St. Bartholomew's Parish, praying the passage of an Act to prohibit the sale of spirituous liquors to

free persons of color ; which was referred to the Committee on the Colored Population.

Also the petition of the members of the "Bedons Baptist Church," praying for an Act of Incorporation ; and also the counter petition of Richard B. Bedon, praying that said Church may not be incorporated ; which were severally referred to the Committee on Incorporations ; and

Also the petition of John W. Burbridge, praying that the escheated property of Elizabeth Bowman may be vested in her illegitimate children. which was referred to the Committee on the Judiciary.

Mr. J. B. CAMPBELL presented the petition of T. Bennett, praying that the Commissioners of Public Buildings for Charleston District be directed to execute title deeds to two lots, on the Lines, purchased by him from the State in 1823 ; which was referred to the Committee on the Judiciary.

Also a petition to incorporate the Liberty Fire Engine Company of Charleston, praying incorporation ; which was referred to the Charleston Delegation.

Mr. TRADEWELL presented the account of William Blackledge, a witness in the contested election of Senator from Richland ; which was referred to the Committee on Claims.

Mr. GARLINGTON presented the petition of sundry citizens of Newberry District, praying the incorporation of a Bank in the Town of Newberry ; which was referred to the Committee on Ways and Means.

Mr. CROSSON presented the petition of George Benson, praying compensation for rebuilding a Bridge across Indian Creek ; which was referred to the Committee on Claims.

On motion of Mr. BROYLES, the Reporter of the Southern Rights Advocate was allowed a seat on the floor of this Hall.

Mr. CLARKE presented the petition of Nancy Bailey, praying for a pension ; which was referred to the Committee on Pensions.

Mr. SLOAN presented the accounts of Dr. J. N. Lawrence, praying compensation for examining a prisoner, and for *post mortem* examination ; which were severally referred to the Committee on Claims.

Also the petition of Commissioners of Public Buildings for Pickens District, praying an appropriation to erect a portico and steps to the Court House ; which was referred to the Committee on Public Buildings.

Mr. SLOAN obtained leave to withdraw the petition of Matthew Abbott for a pension, presented in 1850.

Mr. SINKLER presented the return of Commissioners of Free Schools

for St. John's Berkley for 1852; which was referred to the Committee on Education.

Mr. HOWELL presented the account of R. W. Gibbes, assignee of I. C. Morgan; which was referred to the Committee on Claims.

Mr. HAMPTON presented the petition of the Commissioners of Public Buildings for Richland District, praying authority to sell a part of the Jail Lot; which was referred to the Committee on Public Buildings.

Also the petition of the "Carolina Blues," praying an Act of Incorporation; which was referred to the Committee on the Military.

Mr. GADSDEN presented the return of the Commissioners of Free Schools for St. James' Santee, for the year 1852; which was referred to the Committee on Education.

Mr. DURANT presented the account of V. Little for advertising; which was referred to the Committee on Claims.

Mr. SPRINGS presented the petition of sundry citizens of York District, praying that the day of Election at the out boxes, may be changed from Monday to Tuesday; which was referred to the Committee on Privileges and Elections.

Mr. ANDERSON presented the return of Commissioners of Free Schools for Laurens District, for the year 1852, which was referred to the Committee on Education.

Mr. THORNWELL presented the accounts of J. J. Rowe, Jailor of Marlborough District, for blankets furnished the Jail; which was referred to the Committee on Claims.

Mr. STEELE presented the return of Commissioners of Free Schools for Pickens District, with their memorial, and Mr. TILLINGHAST presented the return of Commissioners of Free Schools of St. Luke's, which were severally referred to the Committee on Education.

Mr. THOMSON presented the petition of M. McDonald, praying payment for issuing notices of election;

Also the petition of Charles H. Allen, praying payment for Public Printing; which were severally referred to the Committee on Claims.

Mr. WITHERSPOON presented the petition of the Town Council of Sumterville, and J. M. Pitts, praying to close a Road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MELTON presented the petition of Commissioners of Public Buildings of Chester District, praying an appropriation to aid in the purchase of a lot for a new Court House; which was referred to the Committee on Public Buildings.

On motion of Mr. J. B. PERRY, sundry affidavits relating to the St. Bartholomew's Election were *taken up*, and, with the return of the Managers of Election for St. Bartholomew's Parish, were referred to the Committee on Privileges and Elections.

Mr. ASHMORE, from the Committee on Claims, made reports

On the Account of Britton and Mickle, and

On the Account of Dr. P. M. Wallace; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the petition of John Gibbs, Sheriff of Union District.

Mr. GADBERRY obtained leave to withdraw the petition of John Gibbs.

Mr. TRADEWELL submitted the following resolution, which was ordered for consideration to-morrow:

*Resolved*, That the Committee on Vacant Offices be instructed to report, whether a seat in the Senate of the United States be now vacant.

On motion of Mr. TUCKER, the Reporter of the Laurensville Herald was allowed a seat on the floor of this Hall.

Mr. TORRE, from the special Committee on Printing, made a Report, recommending that the proposals of R. W. Gibbes be accepted, and that he be appointed the Printer of this House; which was ordered to be considered immediately and agreed to.

### SPECIAL ORDER.

The House then proceeded to the consideration of Message No. 1 of his Excellency the Governor, which had been made the special order of the day for this day at 1 o'clock, P. M.

On motion of Mr. KEITT,

*Resolved*, That so much of the Message as relates to the South Carolina College and to the Free School system be referred to the Committee on Education:

That so much as relates to Federal Affairs and so much as relates to the State Convention be referred to the Committee on Federal Relations:

That so much as relates to the Bank of the State and Private Banks, and also so much as relates to a new Chapel for the South Carolina College, be referred to the Committee of Ways and Means:

That so much as relates to the Military Academies be referred to the Committee on the Military:



That so much as relates to the Lunatic Asylum be referred to the Committee on the Lunatic Asylum :

That so much as relates to the South Carolina Institute and to Rail Roads be referred to the Committee on Internal Improvements :

That so much as relates to Prisons and Prison Discipline, and the revision of the Criminal Code, and also so much as relates to the Augusta Bridge, and the Savannah boundary be referred to the Committee on the Judiciary :

That so much as relates to Colored Seamen and our Police laws pertaining thereto be referred to the Committee on Colored Population, and

That so much as relates to the Charleston Bar and harbor be referred to the Charleston Delegation.

Mr. MITCHELL presented the petition of sundry citizens of the City of Charleston praying a Charter for a new Bank in the said city,

Also the petition of the President and Directors of the Union Bank of South Carolina praying a re-charter; which were severally referred to the Committee of Ways and Means.

Also the petition of Frederick Borner and Helen his wife, praying the release to them of the right of the State in certain lands liable to escheat, which was referred to the Committee on the Judiciary,

Also the Memorial of the Commercial Insurance Company praying an amendment of their Charter; which was referred to the Committee on Incorporations, and

The Memorial of the City Council of Charleston praying the establishment of a Poll tax as a qualification for Voters at the City Election, instead of the present Registry law.

Mr. TRADEWELL submitted the following resolution.

*Resolved*, That the Committee on Education be instructed to inquire and report, if there be a Professor in the South Carolina College, a Consolidationist or Abolitionist; which was ordered for consideration to-morrow.

Pursuant to notice and by leave of the House, Mr. KEITT introduced a Bill to alter and amend the 10th section of the 1st article of the Constitution of South Carolina which was read the first time and made the special order of the day for Monday next at 1 o'clock P. M. in Committee of the whole House.

Mr. OWENS presented the petition of J. D. Allen, praying to be refunded a double tax, and a tax improperly imposed, which was referred to the Committee of Ways and Means.

Mr. TILLINGHAST gave notice that he will, to-morrow, ask leave to introduce a Bill to alter and amend the 13th Section of the 2nd article of the Constitution, so as to make it obligatory on the Governor to convene the General Assembly on the day designated by Congress, for the election of electors of President and Vice President of the United States.

Pursuant to notice, and by leave of the House, Mr. TUCKER introduced a Bill to alter and amend the law, in relation to the Jurisdiction of Magistrates in certain cases, which was read the first time, and referred to the Committee on Judiciary.

Also, a Bill to authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road; which was read the first time and referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. ELLIOTT introduced a Bill to abolish the Laws against Usury; which was read the first time and referred to the Committee on the Judiciary.

Mr. BURT gave notice that he will ask leave to-morrow to introduce a Bill to divide Pendleton District, and to give to Anderson and Pickens each a Senator; and,

Also, a Bill to abolish the office of Major of Ordnance.

Mr. CAUTHEN gave notice that he would ask leave to-morrow to introduce a Bill to charter the Lancaster Rail Road Company, and for other purposes; and,

Also, a Bill to alter and amend the Free School laws of this State.

Mr. BRADLEY submitted the following Resolution, which was considered immediately and was agreed to:

*Resolved*, That the Comptroller General do lay before the House, at the earliest day practicable, a statement showing the amount of stock now held, free from any pledge by subscription to other Rail Road Companies, by the State in the South Carolina Rail Road Company, and the amount of said stock which from time to time has been pledged and transferred by the State to other Rail Road Companies, separating so much as has been actually transferred and delivered from such as is now pledged by the State subscriptions to said Companies, and also specifying the proportion of the State subscriptions to the capital stock of said Companies respectively; the amounts of the certificates of stock held by the State in the several Companies to which such aid has been granted, and the dates of such subscriptions, and of the transfers of stock in accordance therewith.

Mr. BOYLSTON presented the report of the President and Directors

of the Charlotte and South Carolina Rail Road Company, which was referred to the Committee of Ways and Means.

Mr. BOYLSTON gave notice that he will ask leave to-morrow to introduce a Bill further to amend the law in relation to Sheriffs.

Mr. McCRADY gave notice that he will ask leave to-morrow to introduce a Bill to provide for the appointment of electors of President and Vice President of the United States by this State.

Pursuant to notice and by leave of the House, Mr. BRADLEY introduced a Bill to authorize the State to aid in the construction of the North Eastern Rail Road; which was read the first time and referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. McKNIGHT introduced a Bill to provide for the revision and codification of the Statute Law of this State; which was read the first time and referred to the Committee on the Judiciary.

Mr. GREEN gave notice that he will ask leave to-morrow to introduce a Bill to amend the Charter of the Wilmington and Manchester Rail Road Company.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to incorporate the Exchange Bank in the Town of Columbia, which was read the first time and referred to the Committee of Ways and Means.

On motion of Mr. KEITT, a Bill to alter and amend the Constitution, so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, which had been read three times in the House of Representatives, and three times in the Senate, and was agreed to by two-thirds of both branches of the whole representation of the last General Assembly, was read the first time this day and was referred to the Committee on the Judiciary.

Pursuant to notice, Mr. BLAKENEY introduced a Bill to repeal an Act entitled "an Act to increase the amount of property exempt from levy and sale", which was read the first time and referred to the Committee on the Judiciary.

Mr. MAYBIN gave notice that he would ask leave to-morrow to introduce a Bill to incorporate the Columbia Gas-light Company.

Mr. KERSHAW gave notice that he would ask leave, to-morrow, to introduce a Bill, to aid in the construction of a plank-road from Camden to some point or points on the North Carolina line, in the direction of Munroe, Concord, and Charlotte, in that State.

Also a Bill to provide for the future elections of Electors of President and Vice President of the United States.

Mr. BATES gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the 97th Section of the Militia Laws of this State, so as to authorize the Colonels of Regiments to appoint their own Collectors of Fines.

Mr. CASH gave notice, that he will, to-morrow, ask leave to introduce a Bill to alter and amend the license law of this State.

Mr. CLAWSON gave notice that he will, to-morrow, ask leave to introduce a Bill to amend an Act of this State, passed at the last Session of the Legislature, entitled "an Act to increase the amount of property exempt from levy and sale."

Mr. J. B. PERRY gave notice that he will, to-morrow, ask leave to introduce a Bill to prohibit the sale of spirituous liquors to free persons of color;

Also a Bill to vest the title of the State, in and to certain escheated property, in Lawrence Bowman, Meta Bowman, Louis Bowman and Mary Ann Bowman; and

A Bill to amend the third Section of an Act entitled "An Act to afford aid in constructing the Colleton Rail Road," ratified on 20th day of December, 1850.

Mr. MULLINS gave notice that he will ask leave to-morrow, to introduce a Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road.

Mr. MELTON gave notice that he will ask leave to-morrow, to introduce a Bill to establish and incorporate a Bank in the town of Chester; and

A Bill to exempt the members of the Palmetto Regiment from all Militia and Patrol duty.

Mr. SULLIVAN gave notice that he will ask leave to-morrow, to introduce a Bill to incorporate the Johnson Female University.

Pursuant to notice, and by leave of the House,

Mr. SULLIVAN introduced a Bill to alter and arrange the time of the sitting of the Courts of Equity in the Fifth Circuit; which was read the first time, and referred to the Committee on the Judiciary.

Mr. TORRE gave notice that he would ask leave to-morrow, to introduce a Bill to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature.

Mr. TORRE presented the memorial of the City Council of Charles-

ton, praying that the election of Mayor and Aldermen be biennial, and that the same be fixed for the first Wednesday in November; which was referred to the Charleston Delegation.

Mr. J. B. CAMPBELL presented the memorial of the City Council of Charleston, praying that no more Fire Companies be chartered for the City of Charleston, without the consent of the City Council and the Board of Fire Masters; which was referred to the Charleston Delegation.

Mr. HAMPTON gave notice that he would, to-morrow, ask leave to introduce a Bill to renew the charter of the Commercial Bank of Columbia, South Carolina.

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders, and considered and agreed to the Resolution, (submitted by Mr. KEITT yesterday,) to redistrict the State in conformity with the last census and the Act of Congress.

Under the terms of the Resolution, the Speaker appointed the following gentlemen of the committee;—Messrs. L. M. Keitt, J. W. Hearst, O. R. Broyles, S. W. Trotti, W. F. Hutson, A. W. Burnett, C. D. Melton E. B. C. Cash, J. B. Perry, Edgar W. Charles, Jno. C. Allen, Jno. Shedd, Jno. Izard Middleton, W. P. McBee, Robt. Munro, jr. A. H. Boykin, W. C. Cauthen, J. Hudgens, John Fox, W. S. Mullins, T. C. Weatherly, A. C. Garlington, W. D. Steele, Wade Hampton, jr. J. W. Tucker, John T. Green, B. H. Rice, A. Isaac McKnight, A. T. Springs.

On motion of Mr. KEITT,

*Resolved*, That two thousand copies of the documents accompanying the Message No. 1 of His Excellency the Governor be printed for distribution among the members of this House, and that they be referred as follows :

That the report on Prisons and Prison Discipline, and Criminal Law by the Attorney General, be referred to the Committee on the Judiciary :

That the Opinion of John M. Berrien, on the Validity of the South Carolina Port Bill, be referred to the Committee on Colored Population :

That the report on the Augusta Bridge, and on the navigation of the Savannah River, by the Attorney General, be referred to the Committee on Internal Improvements.

Mr. McCRADY gave notice that he will ask leave to-morrow to introduce a Bill to re-charter the Planters & Mechanics Bank of South Carolina.

Mr. CROSSON gave notice that he will ask leave to-morrow to introduce a Bill to establish a Professorship of Agriculture in the South Carolina College.

Mr. GADBERRY gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the law in relation to the collection of debts from free persons of color.

Mr. ANDERSON gave notice that he will to-morrow ask leave to introduce a Bill to prevent the marital rights of the husband from attaching on the estates of married women.

Mr. WALLACE submitted the following Resolution, which was ordered to be considered immediately, and which was agreed to :

*Resolved*, That it be referred to the Committee on the Military to inquire and report upon the expediency of so modifying the duties of the office of Adjutant and Inspector General as to dispense with field services, with a corresponding reduction of salary : also to reduce the salary of Quarter Master General.

The following Message was received from the Senate :

IN THE SENATE, November 24, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate proposes to your House to go into an election for United States Senator to fill the vacancy occasioned by the resignation of the Honorable R. Barnwell Rhett, on Friday next, at 1 o'clock, P. M.; and immediately thereafter, into an election for Senator of the United States for the term commencing on the 4th March, 1853.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. POPPENHEIM, the Message was ordered to *lie on the Table*.

On motion of Mr. GREEN,

*Ordered*, That when this House adjourns, it will be adjourned to meet at 12 o'clock, M., to-morrow.

On motion of Mr. TRADEWELL, the House was adjourned at 14 minutes past 2 o'clock, P. M.

## THURSDAY, NOVEMBER 25, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

*Additional Member.*—Mr. B. J. Johnson, member from St. Helena, appeared and took his seat.

Mr. B. F. Perry, a member elect from Greenville, appeared, was sworn and took his seat.

Mr. HAMMOND presented the memorial of James Jones and Joseph F. Kennedy, praying an amendment to their charter to the Augusta Bridge; which was referred to the Committee on Incorporations.

Mr. THORNWELL presented the petition of Catharine McDonald, praying that the right and title of the State to the personal estate of Danl. McGill, liable to escheat, may be vested in her; and,

Also, the petition of J. J. Gibson, praying that the title of the State in the real and personal estate of Levi Gibson, liable to escheat, may be vested in Levi Gibson, infant child of Elvira Kirby; which were severally referred to the Committee on the Judiciary.

Mr. SLOAN presented the account of W. H. Trimmier for printing; which was referred to the Committee on Claims; also,

The petition of Matthew Abbott, of Pickens District, praying to be placed on the Pension Roll of this State; which was referred to the Committee on Pensions.

Mr. TRADEWELL presented the petition of the Corporation of the Town of Columbia, asking aid from the State in enlarging the Water Works of the town; which was referred to the Committee on Internal Improvements.

Mr. HAMPTON presented the account of W. W. Purse for work done in the House of Representatives; and,

Mr. GARLINGTON, the petition of L. J. Jones, praying to be paid rent for commissioner's office for 1851 and 1852; and,

Also, the petition of James Bonds, praying to be paid rent for sheriff's office for 1851 and 1852; which were severally referred to the Committee on Claims.

Mr. REYNOLDS presented the return of the Commissioners of Free Schools for the Parishes of St. Philips and St. Michaels; which was referred to the Committee on Education.

Mr. ASHMORE presented the petition of Middleton Du Bose, praying the re-charter of his bridge across Lynch's Creek : which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. Perry submitted the presentment of the Grand Jury of Colleton District, Spring Term, 1852 :

So much as relates to the authority of Commissioners of the Poor and of Public Buildings to impose taxes, and so much as presents the practice of burning the woods and old fields, was referred to the Committee on Grievances :

So much as presents that portion of the road law that gives Commissioners of the Roads power to make assessments for the purpose of building and repairing bridges, and so much as presents the license law for retailing spirituous liquors, were referred to the Committee on Roads, Bridges and Ferries :

So much as presents Militia Company Musters as a grievance, was referred to the Committee on the Military ; and,

So much as presents the necessity for stricter laws to prevent the practice of treating at elections, was referred to the Committee on Privileges and Elections.

Mr. BLAKENEY presented the return of the Commissioners of Free Schools for Chesterfield District for 1852 ; which was referred to the Committee on Education.

Mr. HUTSON presented the petition of the Joint Board of Commissioners of Roads to amend the Road Law, which was referred to the Committee on Roads, Bridges and Ferries.

Mr. TRENHOLM presented the petition of sundry Merchants of Charleston praying the modification of the laws for the inspection of flour ; which was referred to the Committee on Internal Improvements.

Mr. CAUTHEN presented the memorial of the citizens of Lancaster District, praying a Charter for a Rail Road and other purposes ; which was referred to the Committee on Incorporations.

Mr. HARRISON presented the petition of sundry citizens of Edgefield District, praying the opening of a new road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. HUDGENS presented the petition of sundry citizens of Laurens Village, praying a renewal of a Charter of Incorporation with additional privileges ; which was referred to the Committee on Incorporations.

Mr. J. B. CAMPBELL presented the memorial of the City Council



of Charleston, praying that little Coming's Creek be closed up; which was referred to the Charleston Delegation.

Mr. CHARLES presented the petition of citizens of Darlington District, for the re-establishment of a road known as Field's Bridge, which was referred to the Committee on Roads, Bridges and Ferries.

Mr. WEATHERLY presented the accounts of Doctors W. D. Wallace and W. J. Daniel, for *post mortem* examinations, which were referred to the Committee on Claims.

Mr. CLARK presented the return of the Commissioners of Free Schools of Fairfield District for 1852; which was referred to the Committee on Education.

Mr. CROSSON presented the petition of members of Prosperity Church, Newberry District, praying incorporation.

Also the petition of the members of Cannon's Creek Church, containing a similar prayer; which were severally referred to the Committee on Incorporations.

Also the petition of the Greenville and Columbia Rail Road Company, praying to have the Saluda and Broad River Bridges Chartered as Toll bridges; which was referred to the Committee on Roads Bridges and Ferries.

Mr. CROSSON also submitted the report of the Greenville and Columbia Rail Road Company; which was referred to the Committee of Ways and Means; and ordered to be printed.

Mr. BROYLES presented the petition of sundry citizens of Pickens District, for an additional magistrate; which was referred to the Committee on District Offices and Officers.

Also two petitions of sundry citizens of Anderson District, praying the continuance of a road, which were referred to the Committee on Roads, Bridges and Ferries.

Also the petition of sundry citizens of Anderson, praying the division of Pendleton District, which were referred to the Committee on Privileges and Elections; and

Also the account of the Southern Rights' Advocate, for Public Printing; which was referred to the Committee on Claims.

Mr. B. J. JOHNSON presented the petition of Lewis R. Jones, praying compensation for two slaves executed; which was referred to the Committee on Claims.

Also the petition of sundry citizens of the Parishes of St. Helena and

Prince William's, respecting the "Port Royal Ferry;" which was referred to the Committee on Roads, Bridges and Ferries.

Also the return of the Commissioners of Free Schools for St. Helena Parish, for the year 1852; which was referred to the Committee on Education;

Also the petition of sundry citizens of Beaufort, praying the incorporation of the Beaufort Loan and Building Association; which was referred to the Committee on Incorporations.

Mr. J. I. INGRAM presented the petition of Jephtha Dyson, praying direction to the Bank of the State for payment due him; which was referred to the Committee of Ways and Means.

Mr. GARLINGTON presented the account of James Bonds, Sheriff of Newberry District, for blankets furnished prisoners; which was referred to the Committee on Claims.

Mr. MANIGAULT submitted the returns of the Commissioners of Poor, in account with the Transient Poor Fund of Georgetown District, for 1852; which was referred to the Committee of Ways and Means.

Mr. BOYKIN submitted the report of the State proxies in the South Carolina Rail Road Company and the South Western Rail Road Bank; which was referred to the Committee of Ways and Means.

Mr. GADSDEN presented the petition of the Commissioners of Roads, for the Parish of St. James, Santee, praying that the Road Law be so altered as to said Parish, as to authorize the Commissioners to require hands to work on roads not more than fourteen miles from their residence; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. WITHERSPOON presented the memorial of citizen of Sumter, for the charter of a Bank in the Town of Sumterville; which was referred to the Committee of Ways and Means.

Mr. TILLINGHAST presented the petition of sundry citizens of the Village of Bluffton, praying for incorporation of the same: and also a counter petition from sundry others, citizens of the same village; which were severally referred to the Committee on Incorporations.

Mr. TORRE presented the petition of John A. Gyles, praying compensation for holding two inquests of lunacy by order of Court; which was referred to the Committee on Claims.

Mr. HOWELL presented the petition of the Columbia Building and Loan Association for incorporation; which was referred to the Committee on Incorporations.

Mr. ELLIS presented the counter petition of sundry citizens of Prince William's and St Bartholomew's, praying that Saltketcher be not made a Toll Bridge; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MULLINS presented the account of Dr. A. W. Bethea, for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. B. F. PERRY presented the petition of sundry citizens of Greenville, praying for a charter for a turnpike road over the Saluda Mountain, from Greenville Court House through Gap Creek to the North Carolina line; and

Also the petition of sundry citizens of North Carolina, praying a turnpike road over the Saluda Mountains at Gap Creek; which were severally referred to the Committee on Roads, Bridges and Ferries.

Also a petition of Thomas Frean, late Surveyor General, praying payment of his claim, and for other purposes; which was referred to the Committee on Claims.

Mr. DEAN presented the petition of sundry citizens of Spartanburg, asking for change of place of election and for a new place of election; which was referred to the Committee on Privileges and Elections.

Mr. BOYLSTON presented the petition of William H. Trapp, praying that the exclusive right to navigate Little River may be vested in him; which was referred to the Committee on Internal Improvements.

Mr. ASHMORE submitted the report of the State Reporter, with the 5th volume of Richardson's Law Reports and the 3d volume of Richardson's Equity Reports; which, with the Reports, was referred to the Committee on the Judiciary.

Mr. ASHMORE, from the Committee on Claims, made reports

On the petition of Dr. Josiah B. Fishburne;

On the petition of Massena Taylor;

On the account of Dr. B. T. Yarborough;

On the account of Dr. Jno. J. Bossard;

On the account of the Palmetto Standard;

On the account of Dr. Irby Dunklin;

On the accounts of Dr. W. W. Smith;

On the account of Dr. W. H. Hagood;

On the petition of A. Lites;

On the petition of F. N. Garvin;

On the account of Dr. David M. Lafitte;

On the account of the Charleston Courier ;  
On the account of Dr. L. B. Johnson ;  
On the account of R. M. Stokes ;  
On the account of Dr. S. B. Graham ;  
On the account of Dr. T. W. Thomson ;  
On the account of Dr. William L. Pickett ;  
On the account of J. J. Atwood ;  
On the petition of Bartlett Red and Samuel Webb ;  
On the account of Dr. John W. Ogilvie ;  
On the account of Dr. N. H. Johnson ; which were ordered for consideration to-morrow.

Mr. TILLINGHAST, from the Committee on the Judiciary, to whom had been referred so much of the presentment of the Grand Jury of Beaufort District as relates to the execution of colored persons, reported a Bill in relation to the execution of slaves and free persons of color ; which was read the first time and ordered to be read the second time to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred a Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, made a report ; which was ordered for consideration to-morrow.

Mr. LANNEAU, from the Committee on Vacant Offices, reported that the office of Senator in the Congress of the United States, for the unexpired term for which the Honorable R. B. Rhett was elected, is vacant, and that the office of Senator in the Congress of the United States, for the term beginning the 4th of March next, is vacant ; which report was ordered to be considered immediately and agreed to.

On motion of Mr. OWENS, the message from the Senate, proposing to go into an election for a United States Senator, to fill the vacancy occasioned by the resignation of the Honorable R. B. Rhett, on Friday next, at 1 o'clock, P. M., and immediately thereafter into an election for Senator of the United States for the term commencing on the 4th of March, 1853, was taken up.

After discussion, Mr. TORRE moved to lay the message *on the Table*, and the question being put, tellers were called for and the House divided. Messrs. Torre and Hutson were appointed to count the House, who reported forty-seven in the affirmative, and forty-five in the negative. So the message was ordered to lie *on the Table*.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, reported

that the office of Treasurer of the Upper Division is vacant, which was ordered to be considered immediately and agreed to.

### MESSAGE NO. 2.

Message No 2, from His Excellency the Governor was received and read by Colonel Beaufort T. Watts, his private Secretary, communicating the memorial of G. E. Walker and John Johnson, Civil Engineers, praying aid in the publication of a Map of the State, and the Report of the Board of Ordnance.

EXECUTIVE DEPARTMENT, }  
November 25, 1852. }

*Gentlemen of the Senate  
and House of Representatives :*

I herewith send you the Memorial of G. E. Walker, and John Johnston, Civil Engineers, praying for aid in the publication of a new Map of the State. Such a map is greatly needed at present, as so many changes have taken place in the geography of the State since the publication of the maps now in use. It has been carefully examined by competent persons, and found to be correct. I recommend that you at least aid them so far as to authorize the Governor to subscribe for a sufficient number of copies to supply all the public offices in the State.

These young gentlemen are natives of our State, and deserve much credit for their enterprize. I trust that their Memorial will meet with a favorable reception at your hands.

The Report of the Board of Ordnance, together with that of the Major of Ordnance, is herewith transmitted.

You will perceive from it that all the contracts have been completed, except by the one with Messrs. Glaze & Boatwright, for small arms, and with Waner for gun carriages. As the Board were satisfied that every effort in their power had been made by Messrs. Glaze and Boatwright to complete the contract at the time specified, and that they had been delayed by difficulties incident to the establishment of a new enterprize, they determined to extend their time to the 11th December, 1853. There will be no further necessity of keeping up the Board of Ordnance any longer, but it is absolutely necessary that the Ordnance officer be continued until the contracts are completed.

J. H. MEANS.

On motion of Mr. KEITT the message was made the special order of the day for 1 o'clock, P. M., to-morrow.

Mr. SLOAN from the Committee on Privileges and Elections, to whom was referred A Bill providing compensation for Managers of Elections made a report; which was ordered for consideration to-morrow.

Mr. SLOAN, from the same Committee, to whom had been referred the returns of the Managers of Elections for St. Bartholomew's Parish, with sundry affidavits, reported that they had duly considered the same, and are of opinion, that the managers should have corrected the rejected box, and included its contents in their estimate of the votes. That if this had been done, Mr. Lewis O'Bryan would have received a majority of votes, even after throwing off the votes which had been first put in the paper box. The Committee therefore recommend that the House declare Mr. Lewis O'Bryan entitled to the seat returned by the said Managers as vacant. The report was ordered to be considered immediately.

Mr. HUNT moved to lay the report *on the Table*, and the question being put, Tellers were called for, and the House divided. Messrs. Keitt and Hutson were appointed to count the House, who reported 48 in the affirmative and 61 in the negative.

The House therefore, refused to lay the report on the table, and the question being put, Will the House agree to the Report? it was decided in the negative:

Yeas, 42—Nays, 68.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are:

The Honorable JAMES SIMONS, Speaker, and

Messrs. Alexander,

Messrs. Green,

Allen,

Hampton,

Ashmore,

Harrison,

Bailey,

Howell,

Bates,

Hutson,

Boykin,

J. G. Ingram,

Burt,

A. R. Johnston,

Byrd,

Kershaw,

Charles,

Lawton,

Clarke,

Mobley,

Cooner,

Morgan,

Duncan,

Munro,

Flagg,

Murray,

Gadsden,

Owens,

THURSDAY, NOVEMBER 25, 1862.

Messrs. Pickens,  
Poppenheim,  
Reynolds,  
Seabrook,  
- Seigling,  
Sinkler,  
Sloan,

Messrs. Springs,  
Torre,  
Trotti,  
Vance,  
Wagner, and  
Walker.

These who voted in the negative are,

Messrs. Anderson,  
Beaty,  
Blakeney,  
Blum,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Burnet,  
R. E. Campbell,  
J. B. Campbell,  
Carwife,  
Cash,  
Canthen,  
Christie,  
Clawson,  
Cresson,  
Cruikshank,  
Dean,  
Devant,  
Elliott,  
Ellis,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Hammond,  
Haskell,  
Hearst,  
Hope,

Messrs. Hudgens,  
Hunt,  
Tillman Ingram,  
B. J. Johnson,  
W. R. Johnson,  
Jordan,  
Keitt,  
King,  
Lanneau,  
Leitner,  
McBee,  
McCrady,  
McGowan,  
McKnight,  
Manigault,  
Mekon,  
Middleton,  
Mitchell,  
Mullins,  
B. F. Perry,  
Pitts,  
Read,  
Rice,  
Rosborough,  
Shedd,  
Steel,  
Sullivan,  
Thomson,  
Thornwell,  
Tillinghast,

Messrs. Tradewell,  
Trenholm,  
Tucker,  
Wallace,

Messrs. Weatherly, |  
Wescoat,  
Winsmith, and  
Witherspoon.

Messrs. J. B. Perry and Stokes, members from St. Bartholomew's, were excused from voting.

Mr. J. B. PERRY submitted the following Resolution, which was ordered to be considered immediately, and was agreed to.

*Resolved*, That a Writ of Election do forthwith issue to fill the vacancy in the representation, in this House, from the Election District of St. Bartholomew's.

Mr. TUCKER, from the Special Committee to whom had been referred a Resolution respecting Common School Education, and the petition of the Teachers' Association and others of Union District, made a Report: and,

On motion of Mr. TUCKER, the Report was re-committed to the same Committee.

Mr. HUNT, from the Committee on the Judiciary, to whom were referred the presentments of the Grand Juries of Union and Barnwell Districts, recommending the establishment of a penitentiary—the presentments of the Grand Juries of Newberry, Kershaw, Sumter, and Abbeville presenting the carrying of concealed weapons; and, also, the presentment of the Grand Jury of Abbeville, recommending an increase in jurisdiction of Magistrates, made a Report, which was ordered for consideration to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred a Bill to enable Planters and Farmers to prove Accounts made by them in the sale of their Produce, made a Report, which was ordered for consideration to-morrow.

On motion of Mr. ASHMORE,

*Ordered*, That when this House adjourns, it shall be adjourned to meet to-morrow, at 12, M.

On motion of Mr. ASHMORE, the House was adjourned at 53 minutes past 3 o'clock, P. M.



## FRIDAY, NOVEMBER 26, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. PORCHER, a member from St. Stephens, appeared and took his seat.

The SPEAKER announced that Mr. B. F. Perry is added to the Committee of Ways and Means, also to the Committee on the Judiciary; and,

That Mr. O. R. Broyles is added to the Committee on Agriculture.

The Senate sent to this House for concurrence, a Resolution providing for the presentation of a Sword to Colonel Benjamin Huger, which was ordered for consideration to-morrow.

Mr. BOYLSTON presented the memorial of the Spartanburg and Union Rail Road Company, praying further aid in the prosecution of their enterprize; which was referred to the Committee on Ways and Means.

Mr. HUNT presented the petition of N. Nathans, H. Clark, and others, praying that the public highway called Coming's Creek, in Charleston be not closed; which was referred to the Charleston Delegation.

Mr. WINSMITH presented the petition of sundry citizens of Spartanburg District to incorporate Friendship Baptist Church of said District; and,

Mr. HASKELL, the petition of the inhabitants of Adams' Run for incorporation; which were severally referred to the Committee on Incorporations.

Mr. DANTZLER presented the memorial of sundry citizens of St. Matthews Parish, praying that the road across Santee swamp at Vance's Ferry be re-constructed; which was referred to the Committee on Internal Improvements.

Mr. McCRADY presented the petition of the Blue Ridge Rail Road Company and others, for a charter and pecuniary aid; which was referred to the Committee of Ways and Means.

Mr. SEIGLING presented the petition of the "Axe Company of Charleston Neck," praying for change of name; and the petition of the "German Farming Society of Charleston," praying incorporation:

Mr. BLUM presented the petition of sundry citizens for an incorporation of the "Carolina Mutual Insurance Company of Charleston;" and,

Mr. SLOAN presented the petition for an Act to incorporate the town of Wallealla, in Pickens District; which were severally referred to the Committee on Incorporations.

Mr. SLOAN also presented the petition of Benjamin Hagood against the grant of a turnpike road up the middle fork of Saluda River, Greenville District; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. TILLINGHAST presented the petition of the inhabitants of the village of Bluffton, protesting against an Act of Incorporation of the said village; and,

Mr. BATES, the petition of sundry citizens of Spartanburg District to incorporate Buck Creek Baptist Church of said District; which were severally referred to the Committee on Incorporations.

Mr. CHRISTIE presented the account of Dr. J. C. Lanier for *post mortem* examination; which was referred to the Committee on Claims.

Mr. BROYLES presented the memorial of the Commissioners of Public Buildings for Anderson District, praying an additional appropriation for the erection of a new Court House; which was referred to the Committee on Public Buildings.

Mr. CLAWSON presented the account of Thomas J. Eccles for public printing; which was referred to the Committee on Claims.

Mr. KING presented the petition of the congregation of Beth Elohim, to vest the title of certain property in the petitioners for certain uses, with power to dispose of a part thereof; which was referred to the Committee on the Judiciary.

Mr. TORRE presented the petition of the German Artillery Company and Charitable Society of Charleston, praying an Act of Incorporation;

Also, the petition of the Fire Department of Charleston, praying an Act of Incorporation for the Fireman's Insurance Company; and,

Also, the petition of the Mayor and Aldermen of the City of Charleston, with the same prayer; which were severally referred to the Committee on Incorporations.

Mr. KERSHAW presented the return of the Commissioners of Free Schools for Kershaw District for the year 1852; which was referred to the Committee on Education.

On motion of Mr. BOYKIN, the Reporter of the Camden Journal was allowed a seat on the floor of this hall.

Mr. DEAN presented the petition of sundry citizens of Spartanburg

District, praying that the Spartanburg Baptist Church be incorporated; which was referred to the Committee on Incorporations.

Mr. ASHMORE presented the account of the Palmetto State Banner for public printing; which was referred to the Committee on Claims.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the petition of Weyhe & Wessels; and

On so much of the presentment of the Grand Jury of Union District as relates to poll tax, and tax in aid of Rail Roads; which were ordered for consideration to-morrow.

On motion of Mr. McGOWAN, the Committee on the Military was discharged from the consideration of the petition of the Richland Volunteer Rifle Company praying a re-charter, and the same was referred to the Committee on Incorporations.

Mr. LEITNER, from the Committee on Internal Improvements, to whom was referred the petition of the Intendant and Wardens of the town of Mount Pleasant, praying the appointment of Commissioners to extend Pitt-street, reported a Bill to open and extend Pitt-street, in the town of Mount Pleasant, to Hibben-street; which was read the first time and ordered for a second reading to-morrow.

Mr. LEITNER, from the same Committee made reports

On the petition of sundry citizens of Williamsburg District, asking aid to deepen a Cut from Lynch's creek to Pee Dee river; and, also,

On the presentment of the Grand Jury of Sumter District in relation to the embankment over the Santee at Vance's Ferry; which were severally ordered for consideration to-morrow.

The following message was received from the Senate, in which the House concurred and an answer was returned:

IN THE SENATE, Nov. 26, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives:*

Senate proposes to your House to go into an election for Treasurer of the Upper Division to-day, at half-past 1 o'clock P. M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. ASHMORE, from the Committee on Claims, made Reports on

The account of Dr. W. C. Miller;

The petition of Dr. J. N. Lawrence;

The petition of Charles H. Allen;

The account of V. Little ;

The petition of George Denson ;

The account of J. J. Rowe ;

The account of Dr. J. H. Boatwright ; which were severally ordered for consideration to-morrow.

Mr. ASHMORE, from the same Committee, to whom had been referred the petition of M. McDonald praying payment for issuing writs of election, made a Report, recommending that the prayer of the petitioner be not granted. The House ordered the Report to be considered immediately, and the same was agreed to.

On motion of Mr. ASHMORE the petition was withdrawn, and

On his motion, the Committee on Claims was discharged from the consideration of the petition of William Blackledge, and Mr. Tradewell obtained leave to withdraw the petition.

Mr. HUTSON, from the Committee on the Judiciary, to whom had been referred sundry petitions of citizens of Pendleton praying a division of that district into two Election Districts, reported a Bill to alter the Constitution of this State so as to divide Pendleton into two Election Districts, which was read the first time and was ordered for a second reading to-morrow.

Mr. TUCKER, from the Special Committee, to whom had been referred the petition of the Union District Teachers' Association and others, praying an alteration in the Free School system, and also a Resolution to appoint a Select Committee to take into consideration the subject of Common School Education, made a report, which was ordered for consideration to-morrow.

Mr. BRADLEY gave notice that he will ask leave to-morrow to introduce a Bill making it the duty of Magistrates in their respective Beat Companies, to enforce the laws relating to traffic with slaves.

Mr. HUNT gave notice that he will ask leave to-morrow to alter the 53rd Rule of this House.

Mr. McGOWAN gave notice that he will ask leave to-morrow to introduce a Bill to provide for the Establishment of a general system of Registration of Births, Deaths and Marriages, in the State of South Carolina.

Pursuant to notice and by leave of the House, Mr. MIDDLETON introduced a Bill to define the principles on which Joint Stock Banks shall be incorporated ; which was read the first time and referred to the Committee of Ways and Means.

The following message was received from the Senate, in which the House concurred and an answer was returned :

IN THE SENATE, Nov. 26, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go into a ballot for Attorney General to-day, immediately after the ballot for Treasurer of the Upper Division.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Pursuant to notice, and by leave of the House, Mr. KERSHAW introduced a Bill to provide for future elections of Electors for President and Vice President of the United States ; which was read the first time, and was made the special order of the day, for Monday next, at 1 o'clock, P. M., in the Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. MAYBIN introduced a Bill to incorporate the "Columbia Gas-Light Company," which was read the first time and referred to the Committee on Incorporations.

Mr. TUCKER gave notice that he will ask leave to-morrow to introduce a Bill to establish Boards of Direction for Commissioners of Common Schools, and for other purposes.

Pursuant to notice and by leave of the House, Mr. TILLINGHAST introduced a Bill to alter and amend the 13th Section of the 2d Article of the Constitution, so as to make it obligatory upon the Governor to convene the General Assembly on the day designated by Congress for the election of Electors of President and Vice President of the United States ; which was read the first time and made the special order of the day, for 1 o'clock, P. M., on Monday next, in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to renew the Charter of the Commercial Bank of Columbia, South Carolina, which was read the first time and referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. McCRADY introduced a Bill to provide for the appointment of Electors of President and Vice President of the United States, by this State ; which was read the first time, and was made the special order of the day at 1 o'clock, P. M., on Monday next, in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. McCRADY introduced a Bill to renew the Charter of the Planters' and Mechanics' Bank

of South Carolina; which was read the first time and referred to the Committee of Ways and Means.

The Senate then attended and joined the House in a first ballot for Treasurer of the Upper Division.

### MESSAGE NO. 3.

Message No. 3, from His Excellency the Governor, was received and read by Colonel Beaufort T. Watts, his private Secretary, communicating a letter from Governor Cobb of Georgia on the boundary between Georgia and South Carolina; which was referred to the Committee on the Judiciary, and was ordered to be printed.

EXECUTIVE DEPARTMENT, }  
Columbia, Nov. 26, '52. }

*Gentlemen of the Senate*

*and House of Representatives :*

I received, this morning, a reply from His Excellency, Gov. Cobb, of Georgia, to my letter, on the subject of the boundaries of our respective States. I herewith send it to you, and request that you will refer it to the Committee, to which the papers on that subject, which were transmitted with my first Message, were referred. J. H. MEANS.

The Senate then attended, and joined the House in the first ballot for Attorney General.

Pursuant to notice and by leave of the House, Mr. BOYLSTON introduced a Bill further to amend the Law in relation to Sheriffs; which was read the first time and referred to the Committee on the Judiciary.

Mr. SLOAN gave notice that he will ask leave to-morrow to introduce a Bill to aid in the construction of the Pendleton Rail Road.

Pursuant to notice and by leave of the House, Mr. TORRE introduced a Bill to incorporate the Fireman's Insurance Company of Charleston; also a Bill to relieve Plank Road Companies from the necessity of making returns unless specially called for by the Legislature; which were read the first time and referred to the Committee on Incorporations.

Mr. TORRE gave notice that he will to-morrow ask leave to introduce a Bill, to incorporate the German Artillery Company and Charitable Society of Charleston.

### SPECIAL ORDER.

The House then proceeded to the consideration of the Governor's Message No. 2, which had been made the special order of the day for this day at 1 o'clock, P. M.

On motion of Mr. KEITT

*Resolved*, That so much of the Message as relates to the memorial of Messrs. George E. Walker and John Johnson and a new map of the State, be referred to the Committee on the Library.

That so much as relates to the Board of Ordnance and the accompanying documents thereon, and the Office of Major of Ordnance, be referred to the Committee on the Military.

Mr. DUNCAN, from the Committee appointed to count the votes cast for Treasurer of the Upper Division, on the first ballot, reported that no candidate had received a majority and that consequently there is no election.

The following Message was received from the Senate, in which the House concurred and an answer was returned :

IN THE SENATE, Nov. 26, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go forthwith into a second ballot for Treasurer of the Upper Division.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. LEITNER gave notice that he will ask leave to-morrow to present a Bill to appropriate thirty-five hundred dollars for the purpose of erecting a suitable building for the Education of the Deaf and Dumb of this State, at the Cedar Springs, in Spartanburg District.

Pursuant to notice and by leave of the House, Mr. HUNT introduced a Bill to fix the term of all persons officially entitled to receive the money of citizens and to secure more perfectly money in the hands of public officers ; which was read the first time and referred to the Committee on the Judiciary.

Mr. HUNT gave notice that he would ask leave to-morrow to introduce a Bill to renew the Charter of the Bank of the State of South Carolina, and also a Bill to define the power of Judges to take the property or to imprison the person of a citizen without trial by Jury.

Mr. HUNT submitted the following Resolutions :

1st. *Resolved*, That when the charter of any private bank expires by its own limitation, the contract of the State with the Stockholders is at an end, and that they have no claim to monopolize the stock for a new term, but that the right to subscribe for that or any other new bank belongs to the public generally.

2d. *Resolved*, That the public safety demands that all currency based

upon the capital of private banks, should be fully redeemed at the expiration of their charters.

3d. *Resolved*, That in granting a charter to any new private bank, no bonus ought on principle to be received, as it is either a purchase from the State of the franchise entrusted to the Legislature for the general good by a privileged few, or it is a commutation, during the charter, of all taxes, which is against principle and expediency, as all property should remain liable to taxation, as the exigency of the case may require.

4th. *Resolved*, That it is expedient for the Legislature to prescribe by law the principles on which all bank charters to private banks shall be granted—fixing the amount of capital, the terms on which their promissory notes shall be issued, to pass as currency, and to secure the public from all suspension or omission to redeem the same in specie on demand.

5th. *Resolved*, That the State ought not to vest in any bank composed of private stockholders, the right to issue their own promissory notes as money, unless the redemption of the same is amply secured by funds in the hands of the Comptroller, for the use of the bill holders.

The Resolutions were made the special order of the day for 1 o'clock, P. M., on Tuesday next, and were ordered to be printed.

The Senate then attended and joined the House in a second ballot for Treasurer of the Upper Division.

Mr. MIDDLETON submitted the following Resolutions :

1st. *Resolved*, That this General Assembly highly appreciates the meritorious conduct and gallantry of Colonel Benjamin Huger of the Ordnance Corps, in a long course of service in the Army of the United States, and more particularly as displayed at the siege of Vera Cruz.

2d. *Resolved*, That his Excellency the Governor be requested to cause to be prepared, a suitable Sword, and that he present the same, on behalf of this State, as a testimonial of its estimation of that distinguished officer.

Mr. J. B. CAMPBELL moved to amend the Resolutions by adding thereto the following :

*Resolved*, That among the sons of South Carolina who, by their distinguished valor and military skill in the Mexican war, acquired renown for themselves and adorned her annals, she cherishes with peculiar pride and affection the memory of Brevet Captain Stuart, of the Rifle Regiment, United States Army.

*Resolved*, That, in the opinion of the Legislature, the sad but heroic termination of his life, cut short a career, whose dawning was bright with assurances for the future.



**Resolved**, That the Governor of the State be requested to provide a suitable Sword, to be presented to the eldest surviving brother of Capt. Stuart, as a testimonial of her appreciation of him while living and her fond remembrance of him in death.

On motion of Mr. MIDDLETON, the amendment, proposed by Mr. J. B. Campbell, was ordered to *lie on the Table*.

The Resolutions, submitted by Mr. MIDDLETON, were then agreed to, and ordered to be sent to the Senate for concurrence.

On motion of Mr. POPPENHEIM, a message was ordered to be sent to the Senate, proposing to go into an election for a United States Senator, to fill the vacancy occasioned by the resignation of the Honorable R. B. Rhett, on Monday next, at  $\frac{1}{2}$  past 12 o'clock, P. M., and to go into an election for a Senator, in the United States Senate, for the Term commencing 4th March, 1853, on Tuesday next, at  $\frac{1}{2}$  past 12 o'clock, P. M.

On motion of Mr. MIDDLETON, the Resolutions submitted by Mr. J. B. Campbell, on the late Captain James Stuart, were *taken up* and were agreed to, and were ordered to be sent to the Senate for concurrence.

On motion of Mr. TORRE,

**Ordered**, That when this House adjourns it shall be adjourned to meet at 12 o'clock, M., to-morrow.

On motion of Mr. J. B. CAMPBELL,

**Resolved**, That the Committee on the Legislative Library be instructed, to cause the Library to be kept open from 9 o'clock in the morning till 9 o'clock at night, or later, if either House shall be in session, of each day, Sunday excepted, during the Session of the General Assembly.

On motion of Mr. McCRADY, the use of the Hall was granted to Mr. Walker, a teacher of the Deaf and Dumb, this evening and to-morrow morning.

On motion of Mr. TORRE the House was adjourned at 43 minutes past 3 o'clock, P. M.

SATURDAY, NOVEMBER 27, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair and a quorum being present, the Journal of yesterday's proceedings was read.

The following Message was received from the Senate:

IN THE SENATE, November 26, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives:*

Senate concurs in the Message from your House asking Senate to appoint a Special Committee to meet the Special Committee appointed by your House to re-district the State, in conformity with the last census and the Act of Congress pertaining thereto, and has appointed Messrs: De Treville, Buchanan, Moses, Witherspoon, Gist, Adams, Brockman, Boozer, Calhoun, Cannon, Carn, Chesnut, Dudley, Evins, Goodwyn, Griffin, Grissette, Harlee, Hasell, Huey, Marshall, McAliley, Miller, Moorman, Porter, Powe, J. J. Wilson, and Zimmerman, a special Committee to join the Committee of your House for that purpose.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Pursuant to notice and by leave of the House, Mr. SULLIVAN introduced a Bill to incorporate the "Johnson Female University," which was read the first time and referred to the Committee on Incorporations.

Mr. MIDDLETON submitted the Report of the Comptroller General, which, with the accompanying documents, was referred to the Committee of Ways and Means, and was ordered to be printed.

Mr. JOHN J. INGRAM presented the return of the Commissioners of Free Schools for Clarendon county; and,

Mr. HUTSON, the return of the Commissioners of Free Schools for Prince Williams for the year 1852; which were severally referred to the Committee on Education.

Mr. MAYBIN presented the petition of William Reynolds and others, praying the incorporation of the "Hibernian Benevolent Society" of Columbia, which was referred to the Committee on Incorporations;

Also, the petition of Jesse E. Dent, praying payment of an account against the State; which was referred to the Committee on Claims.

Mr. WALLACE presented the petition of citizens of York District, praying the change of a place of election; which was referred to the Committee on Privileges and Elections:

Mr. WILLIAMS presented the account of L. M. Grist for public printing; which was referred to the Committee on Claims.

Mr. TUCKER presented the petition of sundry members of Morgan Lodge No. 19, Independent Order of Odd Fellows, praying an Act of Incorporation; which was referred to the Committee on Incorporations;

Also, the petition of C. J. Gaffney, praying a charter for a Ferry; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. FOX presented the petition of Michael Lorick, praying the State to sell to him a tract of public land; which was referred to the Committee on the Judiciary.

Mr. FLAGG, from the Committee appointed to count the votes on the second ballot for Treasurer of the Upper Division, reported that no candidate has received a majority of the votes cast, and that consequently there was no election.

Mr. SULLIVAN presented the petition of Eveline Dill, praying to be placed on the pension list; which was referred to the Committee on Pensions.

Mr. MELTON presented the return of the Commissioners of Free Schools for Chester District for the year 1852; which was referred to the Committee on Education.

Mr. MOBLEY presented the petition of William Bouknight for the re-charter of Huiet's Ferry over Saluda River; which was referred to the Committee on Roads, Bridges and Ferries.

The following Message was received from the Senate :

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in the proposal of your House to go into an election for United States Senator to fill the vacancy occasioned by the resignation of the Hon. R. B. Rhett, on Monday next, at half-past 12 o'clock, M., and on Tuesday thereafter, at the same hour, into an election for Senator of the United States for the term commencing on the 4th of March, 1853.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The following Message was received from the Senate, was concurred in, and an answer was returned :

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate proposes to your House to go forthwith into a third ballot for Treasurer of the Upper Division.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. MITCHELL presented the account of B. C. Pressly for public printing, and

Mr. TRADEWELL the accounts of Johnston & Cavis for public printing; which were severally referred to the Committee on Claims.

Mr. ELLIS, from the Committee appointed to count the votes on the ballot for Attorney General, reported that they had discharged the duty assigned to them, and find that Isaac W. Hayne received eighty-two (82) votes; R. DeTreville seventy-one (71) votes, and that there were three (3) blank votes, and that seventy-nine votes is therefore a majority.

Whereupon the SPEAKER announced that Isaac W. Hayne is duly elected Attorney General of the State of South Carolina.

Mr. BYRD presented the petition of sundry citizens of Darlington praying the establishment of new places of elections; which was referred to the Committee on Privileges and Elections.

Mr. TRADEWELL presented the Report of the Comptroller General, to whom was referred the account of William Blackledge for attending as a witness in a contested election; and

Mr. SEIGLING presented the account of Thomas J. Gantt for printing Briefs under the Resolution of the Legislature of 1851; which were severally referred to the Committee on Claims.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, reported: That the offices of Governor and Lieutenant Governor of the State; of Solicitor of the Northern, and of the Southern Circuits; and the office of Commissioner in Equity for the following Districts, Horry, Newberry, Laurens, Richland, Pickens, Darlington and Union, are vacant.

Mr. McGOWAN moved that a message be sent to the Senate, proposing to go into an election for Solicitor of the Northern Circuit at 1 o'clock, and immediately thereafter into an election for Solicitor of the Southern Circuit.

Mr. HUNT moved to amend the motion by adding, "and for all officers, whose offices have been reported vacant.

Mr. KEITT moved to amend the amendment by striking out Governor

and Lieutenant-Governor; which was agreed to and Mr. McGowan's motion thus amended was agreed to.

The following Message was received from the Senate, in which the House concurred, and an answer was returned.

IN THE SENATE, November 27, 1852:

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate proposes to your House to go into an election for Commissioners in Equity for the Districts of Richland, Union, Laurens, Newberry, Horry, Darlington and Pickens, to-day, immediately after the third ballot for Treasurer of the Upper Division.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, reported that the office of Commissioner in Equity for Williamsburg District is vacant.

On motion of Mr. B. J. JOHNSON, a message was sent to the Senate proposing to go into an election for Commissioner in Equity for Williamsburg District at the same time with the election of the other Commissioners.

Mr. OWENS, from the Committee on Roads, Bridges, and Ferries, made Reports on

The petition of Emanuel Witsell, praying the re-charter of Jacksonboro' Ferry;

The petition of Moses West, praying the re-charter of Rumph's Bridge over the Edisto, formerly Givham's;

So much of the presentment of the Grand Jury of Newberry District as relates to tavern licenses;

So much of the presentment of the Grand Jury of Richland, as relates to the Road Law;

The petition of citizens of St. Helena and Prince Williams, respecting Port Royal Ferry;

The petition of citizens of Darlington, praying the establishment of Field's Bridge Road, and,

The petitions of the Board of Commissioners and citizens of St. Bartholomew's and Prince William's Parishes, for and against the establishment of a Toll Bridge at Salt Ketcher, which were ordered for consideration on Monday next.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports on

The report of the President of the Charlotte and South Carolina Rail-Road Company, and,

The petition of Jephtha Dyson; which were ordered for consideration on Monday next.

Mr. ASHMORE, from the Committee on Claims, made reports on

The account of Dr. W. J. David;

The account of Dr. W. D. Wallace;

The account of Dr. A. W. Kennedy;

The account of Dr. N. Henry;

The petition of Dr. Josiah B. Fishburne;

The account of Dr. John H. Henry;

The petition of Charles McIlwain;

On the account of Norwood & DeLorme;

On the petition of John A. Gyles;

On the petition of Sarah Branch;

On the petition of Lewis R. Sams;

On the account of R. W. Gibbs;

On the account of Dr. C. J. Flinn;

On the account of Drs. T. J. K. & T. A. Dargan, and,

On the accounts of the Charleston Mercury; which were ordered for consideration on Monday next.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the account of Dr. A. W. Bethea, for a *post mortem* examination, and it was ordered to lie on the Table.

Mr. THORNWELL from the Committee on the Judiciary, to whom had been referred the petition of Catharine McDonald, reported A Bill to vest the right, title, and interest of the State, in the personal Estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald D. McDonald; which was read the first time, and was ordered to be read a second time on Monday next.

Pursuant to notice, and by leave of the House, Mr. CAUTHEN introduced A Bill to Charter the Lancaster Rail Road Company, and for other purposes; which was read the first time, and referred to the Committee on Incorporations.

The following Messages were received from the Senate.

IN THE SENATE, Nov. 27th, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate concurs in the proposal of your House, to go into an election for Commissioner in Equity for Williamsburg District, at the same time with the Commissioners for Richland, Union, Laurens, Newberry, Horry, Darlington and Pickens.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

IN THE SENATE, November 27, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate concurs in the proposal of your House to go into an election for Solicitor of the Northern and Southern Circuits, immediately after the Ballot for Commissioners in Equity.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate then attended and joined the House in a first ballot for Commissioners in Equity for Richland, Union, Laurens, Newberry, Horry, Darlington, Pickens, and Williamsburg; and immediately after in a ballot for Solicitors of the Northern and Southern Circuits.

Pursuant to notice and by leave of the House, Mr. SLOAN introduced a Bill to authorize the State to afford aid in constructing the Pendleton Rail Road; which was read the first time and was referred to the Committee of Ways and Means.

Mr. LEITNER, from the Committee on Internal Improvements, made a Report on the presentment of the Grand Jury of Anderson District, recommending an extension of the Greenville and Columbia Rail Road through the Rabun Gap; which was ordered for consideration on Monday next.

Mr. LEITNER, from the same Committee, to whom had been referred the petition of sundry merchants of Charleston praying a modification of the laws for the inspection of flour, reported a Bill to amend "an Act to provide for the inspection of flour," which was read the first time and ordered to be read a second time on Monday next.

Mr. LEITNER, from the same Committee, to whom had been referred the petition of citizens of Darlington praying for additional legislation to prevent the obstruction of the passage of fish up Lynch's Creek, reported a Bill to prevent obstruction to the passage of fish up Lynch's

Creek; which was read the first time and ordered to be read a second time on Monday next.

Mr. GADSDEN, from the Committee appointed to count the votes cast for Treasurer of the Upper Division on the third ballot, reported that no candidate had received a majority and that consequently there was no election.

The following Message was received from the Senate, in which the House concurred and an answer was returned :

IN THE SENATE, November 27, 1862.

*Mr. Speaker and Gentlemen:*

*Of the House of Representatives :*

Senate proposes to your House to go into a fourth ballot for Treasurer of the Upper Division to-day, immediately after the ballot for Solicitors of the Northern and Southern Circuits.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Pursuant to notice and by leave of the House, Mr. LEITNER introduced a Bill to appropriate the sum of three thousand five hundred dollars for the erection of a suitable building for the Education of the Deaf and Dumb of this State at Cedar Springs in Spartanburg District; which was read the first time and referred to the Committee on Education.

The Senate then attended and joined the House in a fourth ballot for Treasurer of the Upper Division.

The SPEAKER laid before the House a communication from Mr. John C. Allen, a member of this House from Edgefield District, informing the House that at the time of his election he was a deputy Post Master; but that before he was qualified and took his seat, he had forwarded his resignation to the Post office Department at Washington, and submitting the question of his eligibility to a seat on this floor to the decision of the House; which,

On motion of Mr. TORRE, was referred to the Committee on Privileges and Elections.

Pursuant to notice, and by leave of the House, Mr. TUCKER introduced a Bill to establish Boards of Direction for Common Schools, and for other purposes; which was read the first time, and referred to the Committee on Education.

Pursuant to notice, and by leave of the House, Mr. GADBERRY introduced a Bill to alter and amend the law in relation to the collection of



debts from free persons of color; which was read the first time, and referred to the Committee on the Judiciary.

Mr. GADBERRY gave notice that he will ask leave, on Monday next, to introduce a Bill to alter the sittings of the Courts of Law on the Northern Circuit, and

Also a Bill to alter and amend the law in relation to the granting of licenses to sell spirituous liquors.

Mr. KEITT gave notice that he will ask leave, on Monday next, to introduce a Bill to define the liabilities, duties and obligations of Magnetic Telegraph Companies.

Mr. B. J. JOHNSON gave notice that he will, on Monday next, ask leave to introduce a Bill to incorporate the "Beaufort Female Seminary."

Also, a Bill to incorporate the Beaufort Loan and Building Association.

Mr. READ, from the Committee on Colored Population, made a report on the presentment of the Grand Jury of Union, respecting the guardianship of, and the collection of debts from, free negroes; which was ordered for consideration on Monday next.

Mr. HOPE, from the Committee appointed to count the votes cast for Treasurer, reported that E. P. Jones received eighty-two (82) votes, Abraham Jones forty-two (42) and J. G. Bowman twenty-five (25) and that seventy-five (75) is a majority; whereupon, the SPEAKER announced that Mr. E. P. Jones is elected Treasurer of the Upper Division.

Mr. HEARST, from the Committee appointed to count the ballots for Solicitors of the Northern and Southern Circuits, reported that T. N. Dawkins received one hundred and thirteen (113) votes for Solicitor of the Northern Circuit, and M. L. Bonham received one hundred and thirteen (113) votes for Solicitor of the Southern Circuit, and that 58 is a majority; whereupon, the SPEAKER announced that T. N. Dawkins is elected Solicitor of the Northern, and M. L. Bonham Solicitor of the Southern Circuit.

Mr. ERVIN gave notice that he will ask leave, on Monday next, to introduce a Bill to punish trespasses on real property.

Pursuant to notice, and by leave of the House, Mr. CASH introduced a Bill to alter and amend the license laws of this State; which was read the first time, and was referred to the Committee on Roads, Bridges and Ferries.

Mr. ASHMORE gave notice that he will ask leave on Monday next to introduce a Bill to reduce the number of petty musters and for other purposes.

Mr. DUNCAN presented the Account of Dr. A. B. Crook for medical services; which was referred to the Medical Committee.

Pursuant to notice and by leave of the House, Mr. CAUTHEN introduced a Bill to alter and amend the Free School Law of this State; which was read the first time and referred to the Committee on Education.

Pursuant to notice and by leave of the House, Mr. MELTON introduced a Bill to exempt the surviving officers and members of the Palmetto Regiment from militia duty; which was read the first time and referred to the Committee on the Military; also a Bill to establish and incorporate a Bank in the town of Chester; which was read the first time and referred to the Committee on Incorporations.

Mr. MELTON gave notice that he will ask leave on Monday next to introduce a Bill to ascertain the will of the people of this State as to the manner in which the election of Electors for President and Vice President of the United States shall be made.

Mr. MELTON gave notice that he will on Monday next move to amend the 60th Rule of this House.

The SPEAKER laid before the House the Report of the Clerk of the House of Representatives respecting the District Maps of the State, which had been ordered to be engraved by Resolution of this House, which report was referred to the Special Committee, charged with re-organizing the Congressional Districts of the State.

Also the Report of the Clerks of the Senate and House on the publication of a Bill to alter the Constitution so as to change the name of the Election District of Saxe Gotha; which was referred to the Committee on the Judiciary.

Mr. MITCHELL gave notice that he will ask leave on Monday next to introduce the following Bills: A Bill to amend an Act entitled "An Act to amend the law in relation to the harboring of deserted seamen;"

A Bill to re-charter the Union Bank;

A Bill to incorporate a new Bank in the City of Charleston; and

A Bill to amend the law in cases of Appeal.

On motion of Mr. KEITT, it was

*Ordered*, That when this House adjourns, it shall be adjourned to meet at 12 o'clock, M., on Monday next.

On motion of Mr. KEITT, the House was adjourned at 10 minutes past 4 o'clock, P. M.

## MONDAY, NOVEMBER 29, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The Senate returned to this House, with its concurrence, Resolutions complimentary to Colonel B. Huger, and Resolutions on the death of Captain Stuart, and providing for the presentation of a Sword to his eldest brother.

The Senate sent to this House for its concurrence the report of the Committee on Claims on the account of W. F. Durisoe for public printing; which was referred to the Committee on Claims.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to change the day for the election of and the term of office of the Mayor and Aldermen of the city of Charleston; which was referred to the Charleston Delegation; also,

A Bill to vest in Thomas Bennett, his heirs and assigns, all the right, title and interest of the State of South Carolina in two lots of land on Charleston "Lines"; which was referred to the Committee on the Judiciary; and,

A Bill to incorporate Johnson Female University; which was referred to the Committee on Incorporations.

Mr. BRADLEY presented the account of A. McCants for necessities furnished to prisoners; also the account of Dr. H. Thorn for services rendered to prisoners; which were severally referred to the Committee on Claims.

Mr. REYNOLDS presented a petition for the renewal of the charter of the Washington Light Infantry, a Volunteer Corps attached to the 16th Regiment, South Carolina Militia; which was referred to the Committee on the Military.

Mr. ASHMORE presented the petition of sundry citizens of Sumter District, praying the re-opening of a road across Lynch's Creek, at Field's Bridge; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. HOWELL presented the memorial to incorporate the Columbia Baptist Church; which was referred to the Committee on Incorporations.

Mr. KING presented the memorial of many citizens of Charleston for change of the time of holding the City Elections; also the memorial of

many citizens of Charleston for extending the term of office of Mayor and Aldermen of Charleston; which were referred severally to the Charleston Delegation.

Mr. BURT presented the petition of sundry citizens of Pendleton District, not to repeal an Act to open a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. SULLIVAN presented the petition of John T. Coleman, praying to be refunded a double tax; which was referred to the Committee of Ways and Means.

The Senate then joined the House in a ballot for a Senator in the Congress of the United States to fill the unexpired term for which the Hon. R. B. Rhett had been elected, terminating on the 4th of March next.

Mr. SEIGLING presented a petition for the incorporation of Zion's Evangelical Lutheran Church; which was referred to the Committee on Incorporations.

Mr. BRADLEY submitted the presentment of the Grand Jury of Williamsburg District, for Fall Term, 1852;

So much as recommends an appropriation for additions to the Court House, was referred to the Committee on Public Buildings, and,

So much as recommends an increase in the pay of Jurors, and that State witnesses be paid, was referred to the Committee on the Judiciary.

Mr. CHRISTIE presented the petition of the "Edgefield Flying Artillery," praying for an Act of Incorporation, and exemption from ordinary Regimental and Battalion Musters; which was referred to the Committee on the Military.

Mr. GREEN presented the account of W. J. Francis, proprietor of the Sumter Banner, for public printing; which was referred to the Committee on Claims.

Mr. MOORER presented the report of the Commissioners of Free Schools for St. George's Dorchester, for the year 1852; which was referred to the Committee on Education.

Mr. FOX presented the account of Isaac Vansant, Sheriff of Lexington District, for blankets furnished the Jail of said District; which was referred to the Committee on Claims.

Mr. CHARLES presented the petition of sundry citizens of Darlington District, praying for the establishment of a new election precinct in said District; which was referred to the Committee on Privileges & Elections, and,

Also, the petition of sundry citizens of Darlington District, praying the

appointment of an additional Magistrate in Beat No. 4; which was referred to the Committee on District Officers and Offices.

Mr. GREEN, from the Committee appointed to count the votes, on the first ballot for Commissioners in Equity, reported, That

For Laurens, Mr. Campbell received 90 votes; and,

Mr. Simpson, 59 votes.

For Union, Mr. Goudelock received 152 votes.

For Newberry, Mr. Williams received 152 votes.

For Richland, Mr. Pearson received 150 votes; and

Mr. Adams received 3 votes.

For Horry, Mr. Beatty received 152 votes.

For Pickens, Mr. Ross received 88 votes; and,

Mr. Johnston received 62 votes.

For Williamsburg, Mr. Thorn received 71 votes.

For Darlington, Mr. Evans received 151 votes; and,

Seventy-eight votes being a majority, Messrs. Campbell, of Laurens, Goudelock, of Union; Williams, of Newberry; Pearson, of Richland; Beatty of Horry; Ross of Pickens and Evans of Darlington, are duly elected. That Henry Thorn of Williamsburg, not having received a majority of the votes cast, there is consequently no election for Williamsburg District—the House considered and agreed to the report.

The following Message was received from the Senate in which the House concurred and an answer was returned :

IN THE SENATE, Nov. 29, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate proposes to your House to go into a second ballot for Commissioner in Equity for Williamsburg District, to-day, at 2 o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

On motion of Mr. MULLINS, the House then proceeded to the consideration of sundry Bills to provide for the appointment of Electors of President and Vice President of the United States, introduced by Messrs. Poppenheim, Keitt, Tillinghast, Kershaw, and McCrady, which had been made the Special Order of the day for this day at 1 o'clock, P. M., in Committee of the whole House.

Mr. KEITT moved that the special order be discharged, and that

the said Bills be made the special order of the day for Thursday next, at 1 o'clock, P. M., in Committee of the whole House.

Mr. J. B. CAMPBELL moved to amend the motion by striking out the words "Thursday next, at 1 o'clock, P. M.," and inserting the words "this evening, at six o'clock, P. M.," and, the question being put, will the House agree to the amendment? it was decided in the negative.

Ayes, 21—Nays, 85.

The Yeas and Nays were requested and are as follows:

Those who voted in the affirmative are :

Messrs. Alexander,	Messrs. W. R. Johnson,
Anderson,	McGowan,
Blakeney,	Patterson,
Boylston,	Pitts,
J. B. Campbell,	Rosborough,
R. E. Campbell,	Shedd,
Cash,	Steele.
Clarke,	Sullivan,
Crosson,	Trenholm, and
Hope,	Winsmith.
Hunt,	

Those who voted in the negative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. Allen.	Messrs. Cruikshank,
Ashmore,	Cureton,
Bailey,	Dean,
Beaty,	Duncan,
Blum,	Elliott,
Boykin,	Ellis,
Brown,	Erwin,
Carwile,	Flagg,
Cauthen,	Fox,
Charles,	Gadberry,
Christie,	Gadsden,
Clawson,	Garlington,
Gunner,	Hammond,

Messrs. Hampton,  
Harrison,  
Haskell,  
Hearst,  
Howell,  
Hudgens,  
Hutson,  
J. I. Ingram,  
B. J. Johnson,  
A. R. Johnston,  
Jordan,  
Keitt,  
Kershaw,  
King,  
Lanneau,  
Lawton,  
Leitner,  
Lesesne,  
McBee,  
McCrary,  
McKnight,  
Manigault,  
Maybin,  
Melton,  
Middleton,  
Mitchell,  
Moble,  
Moorer,  
Morgan,

Messrs. Mullins,  
Munro,  
Murray,  
Owens,  
B. F. Perry,  
J. B. Perry,  
Pickens,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Rice,  
Seabrook,  
Seigling,  
Sinkler,  
Sloan,  
Springs,  
Stokes,  
Thomson,  
Thornwell,  
Tillinghast,  
Torre,  
Tradewell,  
Vance,  
Walker,  
Wallace,  
Weatherly,  
Wescoat, and  
Witherspoon.

Messrs. Burnet and Wagner, who were absent when the vote was taken, were permitted to record the vote they would have given, if present, and their names having been called for that purpose, they severally answered in the negative.

The House then agreed to Mr. KEITT'S motion.

Mr. HASKELL presented the petition of Benjamin Perry, Secretary of State, praying compensation for services rendered; which was referred to the Committee on Claims.

Mr. WAGNER presented the petition of the Mount Pleasant Ferry

Company, praying for the establishment of a ferry between Haddrell's Point and Sullivan's Island: which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. CAMPBELL presented the petition of Edwin Willing and others, citizens of Charleston and land owners on Comings' Creek, praying that said creek may be closed; which was referred to the Charleston Delegation.

Mr. MELTON presented the petition of sundry citizens of York District against opening a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MIDDLETON from the Committee of Ways and Means made reports on

The account of the disbursement of the Transient Poor Fund in Georgetown; and on

The abstract of expenditures for City and Transient Poor of Charleston for the year 1852; which were ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, to whom were referred the petitions of the inhabitants of Moultrieville, and of house owners and residents of Moultrieville, reported A Bill to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets of the town of Moultrieville, and to remove all obstructions in such streets; which was read the first time and ordered to be read the second time to-morrow.

Mr. McCRADY, from the same Committee, to whom was referred the petition of citizens of Cokesbury, praying an Act of incorporation, reported a Bill to incorporate the village of Cokesbury; which was read the first time and ordered to be read the second time to-morrow.

Mr. McCRADY, from the same Committee, made reports

On a Bill to incorporate the "Columbia Gas Light Company";

On a Bill to charter the Lancaster Rail Road Company, and for other purposes;

On a Bill to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature; and,

On the petition of the members of the Bedon's Baptist Church, and the counter petition of Richard B. Bedon; which were severally ordered for consideration to-morrow.

On motion of Mr. McCRADY, the Committee on Incorporations was discharged from the consideration of a Bill to establish and incorporate a



Bank in the town of Chester; and the same was referred to the Committee of Ways and Means;

Also from the consideration of the memorial of James Jones and Joseph J. Kennedy; and,

Of the petition of J. P. Hillhouse; and the same were severally referred to the Committee on Roads, Bridges and Ferries.

The Senate then attended and joined the House in a second ballot for Commissioner in Equity for Williamsburg District.

Mr. McGOWAN, from the Committee on the Military, to whom had been referred the petition of the "Carolina Blues," reported a Bill to authorize the formation of a Volunteer Company within the limits of the twenty-third Regiment of Infantry; which was read the first time and ordered to be read the second time to-morrow.

Mr. McGOWAN, from the same Committee, to whom had been referred a Bill to exempt the surviving officers and members of the Palmetto Regiment from ordinary militia duty; and the presentment of the Grand Jury of Colleton, presenting as a grievance Militia Company Musters; and also a Resolution directing an enquiry into the expediency of modifying the duties of the Adjutant and Inspector General, and as to the expediency of reducing his salary and that of the Quarter Master General; made reports; which were severally ordered for consideration to-morrow.

Mr. GADBERRY, from the same Committee, made a report upon a Bill to restore the law authorizing the appointment of Sutlers at muster grounds, upon certain conditions; which was ordered for consideration to-morrow.

Mr. RICE, from the Committee on Roads, Bridges and Ferries, to whom had been referred the petition of William Langston, reported a Bill to allow William Langston to hawk and peddle in Union District, without the payment of the tax now imposed by law; which was read the first time, and ordered to be read the second time to-morrow.

Mr. DEAN, from the Committee on Claims, made reports:

On the account of Norwood & DeLorme;

On the account of W. H. Trimmier;

On the account of W. W. Purse; and

On the account of the Southern Rights Advocate; which were severally ordered for consideration to-morrow.

Mr. HUTSON, from the Committee on the Judiciary, to whom had been referred the presentments of the Grand Juries of Charleston for

Spring and Fall terms, 1852, relating to grants of vacant land, and recommending that prosecutors pay costs in frivolous prosecutions, and that security be required in cases of appeal, made a Report and reported a Bill to amend the law in cases of appeal, which was read the first time and was ordered to be read a second time to-morrow.

Mr. HUTSON, from a minority of the same Committee, made a Report on the petition of citizens of York District praying a repeal of the Homestead Law, which was ordered for consideration to-morrow.

Mr. HUNT, from the same Committee, to whom had been referred a Bill to regulate the future issuing of grants of land, made a report; which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, made a report on so much of the Governor's Message, No. 1, as relates to the imprisonment of colored seamen; which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports

On the account of the Palmetto State Banner, and

On the account of Dr. T. C. Lanier; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the account of Thomas J. Eccles, and the same was ordered to lie *on the Table*, and

Also on the account of Dr. J. S. Crane.

Mr. MAYBIN obtained leave to withdraw the account of Dr. J. S. Crane.

Mr. REYNOLDS, from the Charleston Delegation, to whom had been referred the Memorial of the City Council of Charleston, reported a Bill to alter and amend the Charter of the City of Charleston, so as to make the election of Mayor and Alderman biennial, and fixing the time for the first Wednesday in November; which was read the first time and ordered to be read the second time to-morrow.

Mr. REYNOLDS, from the same Committee, to whom had been referred the memorial of the City Council of Charleston, reported a Bill to amend the Charter of the City of Charleston in relation to the qualification of voters at City Elections for Mayor and Alderman; which was read the first time and ordered to be read the second time to-morrow.

On motion of Mr. REYNOLDS the Charleston Delegation was discharged from the consideration of the petition of the Liberty Fire Engine Company of Charleston and the memorial of the City Council of Charles-

ton, praying for and against the incorporation of the said Company; and Mr. Reynolds obtained leave to withdraw the petition and memorial.

Mr. SULLIVAN, from the Committee on Education, made a report on A Bill to alter and amend the law in relation to the Education of the Deaf and Dumb of this State; which was ordered for consideration to-morrow.

Mr. HUNT, from the Committee appointed to count the ballots cast for a Senator in the Congress of the United States, to fill the unexpired term of the Hon. R. B. Rhett, till the fourth day of March next, reported, That W. F. DeSaussure received 106 votes, and that 74 is a majority. Whereupon the SPEAKER announced that William F. DeSaussure is duly elected.

Pursuant to notice, heretofore given, and on motion of Mr. HUNT, the 53d rule of this House was amended, by adding thereto the following words: "Except, that the Standing Committees may order to be printed for their use such papers as shall be referred to them."

Pursuant to notice and by leave of the House, Mr. GARLINGTON introduced A Bill to establish and incorporate a Bank in the Town of Newberry; which was read the first time and referred to the Committee of Ways and Means.

Mr. HAMPTON gave notice that he will ask leave, to-morrow, to introduce A Bill to authorize the South Carolina Rail Road Company to build a certain Bridge over Congaree River.

Pursuant to notice and by leave of the House, Mr. McGOWAN introduced A Bill for the establishment of a general system of registration of Births, Marriages and Deaths; which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice and by leave of the House, Mr. ERVIN introduced A Bill to punish trespasses on real property; which was read the first time and referred to the Committee on the Judiciary.

Mr. CROSSON gave notice that he will ask leave to-morrow to diminish the duties and reduce the salary of the Adjutant and Inspector General.

Pursuant to notice and by leave of the House, Mr. ASHMORE introduced A Bill to reduce the number of petty musters, and for other purposes; which was read the first time and referred to the Committee on the Military.

Pursuant to notice and by leave of the House, Mr. BATES introduced A Bill to alter the 97th Section of the Militia Law of this State, so as to authorize Colonels of Regiments to appoint their own Collectors of Fines;

which was read the first time and referred to the Committee on the Military.

Mr. ALLEN gave notice that he will, to-morrow, ask leave to introduce A Bill giving to the officers, commanding companies, the right to hold courts martial for the trial of all defaulters for Company and Patrol duty, within their respective commands.

Mr. B. F. PERRY presented the petition of Samuel A. Townes, asking a subscription on the part of the State to the publication of "The Lives and Sketches of eminent South Carolinians;" which was referred to the Committee on Education.

Mr. B. F. PERRY gave notice that he will, to-morrow, ask leave to introduce A Bill to vest all the right, title and interest of the State in and to a certain lot situated in the town of Greenville, in Willis Allen.

Mr. GARLINGTON gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the laws concerning the office, duties, and liabilities of Sheriffs.

Pursuant to notice and by leave of the House, Mr. TORRE introduced a Bill to incorporate the German Artillery Company and Charitable Society of Charleston; which was read the first time and referred to the Committee on the Judiciary.

Mr. MUNRO gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend an Act, entitled "An Act to regulate the sitting of the Courts of Appeals, and for other purposes."

On motion of Mr. TRADEWELL, ordered that when this House adjourn it shall be adjourned to meet at 12 o'clock, M. to-morrow.

Pursuant to notice and by leave of the House, Mr. J. B. PERRY introduced a Bill to amend the third Section of an Act entitled "An Act to afford aid in constructing the Colleton Rail Road," ratified on the 20th day of December, 1850; which was read the first time and referred to the Committee of Ways and Means.

Also a Bill to prohibit the selling of spirituous liquors to free persons of color; which was read the first time and referred to the Committee on Colored Population.

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders.

The following Reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims :

On the account of Britton & Mickle;  
 On the account of Dr. P. M. Wallace;  
 On the petition of Dr. Josiah B. Fishburne;  
 On the account of Dr. B. T. Yarbrough;  
 On the account of Dr. John J. Bessard;  
 On the petition of the Palmetto Standard;  
 On the account of Dr. W. W. Smith;  
 On the account of Dr. W. W. Smith;  
 On the account of Dr. W. H. Hagood;  
 On the petition of A. Lites;  
 On the account of Dr. David M. Laffitte;  
 On the accounts of Charleston Courier;  
 On the account of R. M. Stokes;  
 On the petition of Dr. S. B. Graham; and  
 On the account of Dr. T. W. Thompson.

A Resolution to instruct the Committee on Vacant Offices to inquire if the office of United States Senator be vacant, and a Resolution directing the Committee on Education to inquire if there be a Professor in the South Carolina College a consolidationist or an abolitionist, were ordered to lie on the Table.

The following unfavorable reports were considered and agreed to:

Reports of the Committee on Claims;

On the petition of Massena Taylor;

On the account of Dr. Irby Dunklin; and

On the petition of Dr. L. B. Johnson.

The Report of the Committee on Claims on the petition of F. N. Garvin, on motion of Mr. B. F. PERRY, was recommitted to the same Committee.

On motion of Mr. THOMSON, the House was adjourned at 17 minutes past 4 o'clock, P. M.

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TUESDAY, NOVEMBER 30, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House for concurrence the following Reports and Resolutions :

Reports of the Committee on Claims on

The account of Harrison & Norris for public printing;

The account of W. W. Purse for work done in the Senate Chamber;

The account of the Charleston Mercury for public printing; which were severally referred to the Committee on Claims;

A Resolution providing for sending certain books from the Legislative Library to the Mercantile Library of Charleston; which was referred to the Committee on the Legislative Library;

A Resolution providing that the Governor apply the unexpended balance of the sum appropriated for publishing Mr. Calhoun's works, to the publication of his Life and Speeches; which was referred to the Committee on Federal Relations; and,

The Resolution in relation to claims for public printing; which was referred to the Committee on Claims.

The Senate also sent to this House the following Bills which were read the first time :

A Bill to release to Catharine McDonald all the right and interest of the State to certain property;

A Bill to confer certain rights on the Hebrew Congregation in the City of Charleston, in relation to a piece of land by them held; and,

A Bill to release the right and interest of the State in certain property to Levi Gibson; which were severally referred to the Committee on the Judiciary; and,

Also a Bill to amend an Act entitled "An Act to provide for the inspection of Flour"; which was referred to the Committee on Agriculture.

Mr. OWENS presented the petition of J. D. Aiken, Attorney of Robert Martin, praying to be refunded a double tax; and,

Mr. HAMMOND, the petition of Stockholders of the Bank of Hamburg, South Carolina, praying a renewal of their charter; which were severally referred to the Committee of Ways and Means.

Mr. MAYBIN presented the petition of William Farmer, for himself and the other heirs of Thomas Farmer, praying payment of arrears of pension due the said deceased; which was referred to the Committee on Pensions.

Mr. J. B. PERRY presented the petition of J. M. Ford, in behalf of Robert Hopton, a free person of color, praying an exemption from the usual tax, in consideration of services rendered the Palmetto Regiment

in Mexico; which was referred to the Committee on Colored Population.

Mr. BROYLES presented the petition of the officers and members of Shady Grove Baptist Church, in Anderson District, praying incorporation; which was referred to the Committee on Incorporations.

Mr. RICE presented the petition of James K. Brandon and others, citizens of Union, asking the Legislature to require the more prompt and certain delivery of freight by Rail Road Companies; which was referred to the Committee on Grievances.

Mr. B. J. JOHNSON presented the petition of the trustees of the Beaufort Female Seminary, praying an Act of incorporation; which was referred to the Committee on Incorporations.

Mr. LEITNER, from the Committee on Internal Improvements, to whom had been referred the petition of William H. Trapp, reported a Bill to vest in William H. Trapp the exclusive right to navigate Little River, which was read a first time and ordered to be read a second time to-morrow.

Mr. SULLIVAN from the Committee on Education, to whom was referred the petition of Mrs. E. F. Ellett, made a report, which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom the presentment of the Grand Jury of Union, relative to the practice of negroes conducting religious worship at other places than on their masters' plantations, made a report, which was ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, to whom was referred the petition of the Commissioners of Public Buildings for Chester District, made a report, which was ordered for consideration to-morrow.

Mr. B. J. JOHNSON, from the Committee appointed to count the votes cast on the second ballot for Commissioner in Equity for Williamsburg District, reported that Mr. H. Thorn received 110 votes, and that 58 is a majority, whereupon the SPEAKER announced that H. Thorn is duly elected.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred the memorial of the City Council of Charleston, praying increase of appropriation for Transient Poor, made a report; which was ordered for consideration to-morrow.

Mr. MELTON, from the Committee on Incorporations, to whom had been referred A Bill from the Senate, to Incorporate Johnson Female

University; made a report which was ordered for consideration to-morrow.

Mr. MITCHELL, from the Committee on the Judiciary, to whom had been referred the petition of J. J. Gibson, made a report, which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports on

The account of Dr. H. Thorn;

The account of Johnston & Cavis;

The account of W. F. Durisoe;

The account of A. McCants;

The account of L. M. Grist;

The account of B. C. Pressly;

The report of the Comptroller General on the account of William Blackledge; and

On the account of W. J. Francis; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the account of Thomas J. Gantt; and Mr. SEIGLING obtained leave to withdraw the same; and,

From the consideration of the petition of Jesse E. Dent, which Mr. MAYBIN obtained leave to withdraw.

Mr. WILLIAMS, from the Committee on Pensions to whom had been referred the petition of George W. Dorn, made a report; which was ordered for consideration to-morrow.

Mr. REYNOLDS, from the Charleston Delegation, made reports,

On a Bill from the Senate to change the day for the election of and term of office of the Mayor and Aldermen of the City of Charleston; and,

On the petition of sundry citizens, praying that Little Coming's Creek be closed up, and also a counter petition thereto; which was ordered for consideration to-morrow.

Pursuant to notice and by leave of the House, Mr. B. F. PERRY introduced A Bill to vest all the right, title and interest of the State in and to a certain lot of land, situated in the town of Greenville, in Willis Allen; which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice and by leave of the House, Mr. CROSSON introduced A Bill to diminish the duties and reduce the salary of the Adjutant and Inspector General; which was read the first time and was referred to the Committee on the Military.



Mr. LEITNER from the Committee on Internal Improvements to whom had been referred the petitions of sundry citizens of Barnwell District, for and against the declaring Tinker's Creek navigable; and, also, the presentment of the Grand Jury of Barnwell, recommending that all streams in the said District capable of being made navigable, be declared so; Reported A Bill to declare a certain description of streams navigable, and for other purposes, which was read the first time and ordered to be read the second time to-morrow.

Mr. LEITNER presented the petition of Bivings & Cleland for medical services; which was referred to the Medical Committee.

Mr. KEITT, from the Committee appointed to count the votes cast on the first ballot for Senator in the Congress of the United States, for the Term commencing the 4th of March, 1853, reported that no candidate had received a majority and that consequently there is no election.

On motion of Mr. ASHMORE, a Message was sent to the Senate, proposing to go forthwith into a second ballot for Senator in the Congress of the United States.

Pursuant to notice and by leave of the House, Mr. GREEN introduced A Bill to amend the Charter of the Wilmington and Manchester Rail Road Company; which was read the first time and referred to the Committee on Internal Improvements.

Pursuant to notice and by leave of the House, Mr. MULLINS introduced A Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road; which was read the first time and referred to the Committee of Ways and Means.

Mr. MULLINS gave notice that he will to-morrow ask leave to introduce A Bill to Charter a Bank at Marion Court House.

Pursuant to notice and by leave of the House, Mr. HUNT introduced A Bill to extend the Charter of the Bank of the State of South Carolina; which was read the first time and made the special order of the day for Friday next, at 1 o'clock, P. M., in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. HUNT introduced the following Bills; which were read the first time and were referred to the Committee on the Judiciary;

A Bill to provide for the more perfect and prompt Administration of Justice, and,

A Bill to provide for carrying cases from Circuit Courts of Law to the Appeal Court and providing for bills of exceptions.

The following Message was received from the Senate:

IN THE SENATE, NOV. 30, 1852.

*Mr. Speaker and Gentlemen**Of the House of Representatives :*

Senate concurs in the proposal of your House to go forthwith into a second ballot for United States Senator.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The Senate then attended and joined the House in the second ballot for United States Senator.

Pursuant to notice and by leave of the House, Mr. MITCHELL introduced a Bill to amend an Act entitled "An Act to amend the law in relation to the harboring of deserted seamen"; which was read the first time and referred to the Committee on the Judiciary; also

A Bill to incorporate the Farmers' and Exchange Bank of Charleston, and

A Bill to renew the charter of the Union Bank of South Carolina; which were read the first time, and severally referred to the Committee of Ways and Means.

Mr. MITCHELL gave notice that he will, to-morrow, ask leave to introduce a Bill to amend the charter of the North Eastern Rail Road Company.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree river; which was read the first time and referred to the Committee on Internal Improvements.

Pursuant to notice and by leave of the House, Mr. ANDERSON introduced a Bill to prevent the marital rights of the husband from attaching to the estates of married women; which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice, Mr. MELTON moved to amend the second, third and fourth clauses of the 60th Rule of this House, so as to read as follows: 2. The SPEAKER shall call in alphabetical order of judicial districts, for petitions, memorials, presentments of grand juries, returns of Commissioners, and such like papers, to be presented by members and disposed of—the call to be resumed each day where it was interrupted on the day previous.

2. The SPEAKER may on any day, and shall on Tuesdays and Fridays, call for reports of Committees, first the Standing Committees, in the or-

der in which they stand in the 18th Rule of this House, and then the Special Committees.

4. The SPEAKER shall call in alphabetical order of judicial districts, for resolutions, bills, or motions, to be presented by individual members—the call each day to be resumed where interrupted on the day previous.

The question being put, "Will the House agree to the motion to amend? Tellers were called for, and the House divided. Messrs. Middleton and Hunt were appointed to count the votes, who reported 69 in the affirmative and 11 in the negative. Two-thirds of the members present concurring therein, the 60th Rule was altered accordingly.

Mr. KERSHAW, from the Committee appointed to count the votes cast on the second ballot for a Senator in the Congress of the United States, reported that no candidate having received a majority there was consequently no election.

The following message was received from the Senate; which was concurred in, and an answer was returned.

IN THE SENATE, NOV. 30, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives:*

Senate proposes to your House to go forthwith into a third ballot for United States Senator.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

On motion of Mr. HUNT, Resolutions submitted by him on the 26th inst., declaratory of the principles on which Charters to private banks shall be granted, and which had been made the special order of the day for this day at 1 o'clock, P. M., were called for consideration: and,

On motion of Mr. HUNT, the special order was discharged, and said resolutions were made the special order of the day, for Friday next, at 1 o'clock, P. M., in Committee of the whole House.

Pursuant to notice and by leave of the House, Mr. ALLEN introduced A Bill to give to the officers commanding companies, the right to hold Courts martial for the trial of all defaulters for Company and Patrol duty within their respective limits; which was read the first time and referred to the Committee on the Military.

Mr. POPPENHEIN submitted the following resolution, which was ordered for consideration to-morrow.

*Resolved.* That this House will adjourn its present Session on Tuesday the 14th day of December, *proximo*, and that a message be sent to the Senate asking their concurrence in this Resolution :

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders. The following reports were considered and agreed to, and ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims.

On the Account of William L. Pickett; and,

On the Account of J. J. Atwood.

The Senate then attended and joined the House in a third ballot for Senator of the United States.

The General Orders were then resumed.

The following Reports were considered and agreed to.

Reports of the Committee on Claims.

On the petition of Bartlett Red and Samuel Webb.

On the petition of Dr. J. N. Lawrence.

On the petition of Charles H. Allen, and,

On the petition of George Denson :

Report of the Committee on the Judiciary on the presentments of the Grand Juries of Union, Barnwell, Sumter, Newberry, Kershaw and Abbeville, respecting a penitentiary, and carrying concealed weapons, and recommending an increase of the Magistrates' jurisdiction.

Report of the Committee of Ways and Means on so much of the presentment of the Grand Jury of Union, as relates to a poll tax and a tax in aid of Rail Roads; and,

Reports of the Committee on Internal Improvements,

On the petition of citizens of Williamsburg, asking aid to deepen a Cut from Lynch's Creek to Pee Dee River; and,

On the presentment of the Grand Jury of Sumter District, in relation to the embankment over the Santee Swamp at Vance's Ferry.

A Bill in relation to the execution of slaves and free persons of color, was read the second time and ordered to be sent to the Senate.

A Bill to alter and amend the Constitution, so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits was read the second time, and the question being put, will the House agree thereto? it passed in the affirma-

tive, two-thirds of the whole Representation in this House agreeing thereto.

Yeas, 95—Nays, —.

Those who voted in the affirmative are :

The Honorable JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Blum,

Boylston,

Bradley,

Brown,

Broyles,

Burnet,

Burt,

Byrd,

R. E. Campbell,

Carwile,

Cash,

Cauthen,

Charles,

Christie,

Clarke,

Clawson,

Cooner,

Cruikshank,

Cureton,

Dantzler,

Dean,

Duncan,

Durant,

Elliott,

Ellis,

Ervin,

Flagg,

Messrs. Fox,

Gadberry,

Gadsden,

Gourdin,

Hammond,

Hamptou,

Harrison,

Haskell,

Hearst,

Hope,

Hudgens,

Hutsen,

J. I. Ingram,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Jordan,

Keitt,

Kershaw,

King,

Lanneau,

McBee,

McCrary,

McGowan,

Manigault,

Maybiu,

Melton,

Middleton,

Mitchell,

Mobley,

Moorer,

Mullins,

Murray,

**Messrs. Owens,**

Patterson,

B. F. Perry,

J. B. Perry,

Pickens,

Pitts,

Poppenheim,

Porcher,

Read,

Reynolds,

Rice,

Rosborough,

Seabrook,

Seigling,

Shedd,

Sloan,

**Messrs. Steele,**

Stokes,

Sullivan,

Thornwell,

Tillinghast,

Tradewell,

Trenholm,

Trotti,

Tucker,

Vance,

Wallace,

Weatherly,

Wescoat,

Williams,

Winsmith, and

Witherspoon.

On motion of Mr. TUCKER, leave of absence was granted to Mr. WINSMITH for the remainder of the session, on account of the sickness of his family.

The General Orders were then resumed.

A Bill providing compensation for Managers of Election was read a second time.

Mr. LEITNER moved to fill the blank in said Bill, allowing compensation to said Managers, at one dollar per diem; and the question being put, Will the House agree thereto? it was decided in the negative. The yeas and nays were required, and are as follows:

Yeas, 41—Nays, 71.

Those who voted in the affirmative are, the

Hon. JAMES SIMONS, Speaker, and

**Messrs. Bates,**

Blakeney,

Bradley,

Byrd,

Canthen,

Clawson,

Cooner,

Cureton,

**Messrs. Durant, \***

Elliott,

Ellis,

Ervin,

Gadberry,

Green,

Hampton,

Hearst,

Messrs. Hope,  
Hutson,  
J. I. Ingram,  
B. J. Johnson,  
A. R. Johnston,  
Jordan,  
Keitt,  
King,  
Leitner,  
Lesesne.  
McCrary,  
McGowan,

Messrs. McKnight,  
Maybin,  
Mitchell,  
Munro,  
Owens,  
J. B. Perry,  
Stokes,  
Trotti,  
Tucker,  
Vance,  
Weatherly, and  
Witherspoon.

Those who voted in the negative are,

Messrs. Alexander,  
Allen,  
Anderson,  
Ashmore,  
Bailey,  
Beaty,  
Blum,  
Boykin,  
Boylston,  
Brown,  
Broyles,  
Burnet,  
Burt,  
R. E. Campbell,  
Carwile,  
Charles,  
Christie,  
Clarke,  
Crosson,  
Cruikshank,  
Dantzler,  
Dean,  
Duncan,  
Flagg,  
Fox,  
Gadsden,

Messrs. Garlington,  
Gourdin,  
Hammond,  
Harrison,  
Haskell  
Howell,  
Hudgens,  
Tillman Ingram,  
W. R. Johnson,  
Kershaw,  
Lanneau,  
Lawton,  
McBee,  
Manigault,  
Melton,  
Middleton,  
Mobley,  
Moorer,  
Mullins,  
Patterson,  
B. F. Perry,  
Pickens,  
Pitts,  
Poppenheim,  
Porcher,  
Read,

Messrs. Reynolds,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Seigling,  
 Shedd,  
 Sloan,  
 Steele,  
 Sullivan,  
 Thomson,

Messrs. Thornwell,  
 Tillinghast,  
 Tradewell,  
 Trenholm,  
 Wagner,  
 Walker,  
 Wallace,  
 Wescoat and  
 Williams.

On motion of Mr. THOMSON, the further consideration of the Bill was indefinitely postponed.

On motion of Mr. TILLINGHAST, ordered, that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

At 40 minutes past 3 o'clock, P. M., Mr. TILLINGHAST moved that the House should be adjourned; and the question being put, Tellers were called for and the House divided. Messrs. Tillinghast and John I. Ingram were appointed to count the House, who reported 52 in the affirmative and 59 in the negative. So the House refused to adjourn.

Mr. LAWTON, from the Committee appointed to count the votes cast for a Senator in the Congress of the United States, on the third ballot, reported that no candidate had received a majority, and that consequently there is no election.

On motion of Mr. OWENS, a message was ordered to be sent to the Senate proposing to go into a fourth ballot for United States Senator, to-morrow at half-past 12 o'clock, P. M.

A Bill to enable planters and farmers to prove accounts made by them in the sale of their own produce, was called for a second reading, and the House agreed to the report of the Committee on the Judiciary, recommending that said Bill do not pass.

The following reports were considered and agreed to, and ordered to be sent to the Senate for concurrence:

Reports of the Committee on Claims,  
 On the account of Dr. John W. Ogilvie;  
 On the account of Dr. N. H. Johnson;  
 On the account of Dr. W. E. Miller;  
 On the petition of Dr. J. N. Lawrence;  
 On the account of V. Little;  
 On the account of J. J. Rowe; and,  
 On the account of Dr. J. H. Boatwright;



Resolutions from the Senate, providing for the presentation of a Sword to Col. Benjamin Huger; were ordered to *lie on the Table*.

The House considered and agreed to the report of the Committee of Ways and Means,

On the petition of Weyhe & Wessels; and the same was ordered to be sent to the Senate for concurrence.

A Bill to open and extend Pitt-street, in the town of Mount Pleasant, to Hibben-street, was read the second time and ordered to be sent to the Senate.

On motion of Mr. VANCE, the House was adjourned at 57 minutes past 3 o'clock, P. M.



### WEDNESDAY, DECEMBER 1, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. LAURENS, a member elect from St. Thomas and St. Dennis, appeared, produced his credentials, was sworn, and took his seat.

The SPEAKER laid before the House the following communication:

*To the Hon. James Simons,*

*Speaker of the House of Representatives of South Carolina:*

SIR—Yesterday, after the adjournment of the House, my attention was called to a circumstance that is supposed by some to impair my right to hold a seat on this floor, and I consider it my duty to lay the facts before the House for their consideration and action.

About ten years ago, I received the appointment for the Port of Charleston of Vice Consul of the two Sicilies, a European power. The appointment was made by the Consul General of that Government in this country, by letter, and to the best of my knowledge and belief, no Exequatur has issued to me by the Government of the United States. Since my appointment, I have been called upon to perform but four or five official acts, and for five years past do not remember to have performed any. I have not received any letters or other communications from the Government of the Two Sicilies or the Consul General for six or seven years, nor have I ever received any compensation or emolument of office. Du-

ring the late political disturbances in Europe, that Government was interrupted by revolutionary difficulties, and I have ascertained, since my attention was called to this matter, that the Consul General in this country has been changed. I have never formally resigned the appointment, but never having been called upon for so many years to perform any act under it, when informed of my election, (which took place during my absence in England,) and when I qualified, I did not remember my connexion with it. Immediately as my attention was called to it yesterday, I addressed a letter to the new Consul General at New York, enquiring if the office has been discontinued, or my connexion with it, and at what time this took place. If the office exists, and I am regarded as being still the incumbent, I requested that my letter should be considered as my resignation.

I find, on examination, that in the list of Foreign Consuls and Vice Consuls, furnished by the State Department to the American Almanac, dated September, 1851, my name appears as one of the Vice Consuls of the Two Sicilies, and I yesterday wrote to that Department to know if an Exequatur had ever been issued to me.

I have the honor to be, with great respect,

Your obedient servant,

G. A. TRENHOLM.

Columbia, December 1, 1852.

Which was referred to the Committee on Privileges and Elections.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to repeal all Acts and parts of Acts authorising Ordinaries to take possession of, and administer on, derelict estates; and,

A Bill to amend an Act, entitled " An Act to amend the law in relation to the harboring of deserted seamen; which were severally referred to the Committee on the Judiciary; and,

A Bill to amend the law in relation to Sheriffs; which was referred to the Committee on District Officers and Offices.

Mr. OWENS presented the claim of Dr. J. O. Hagood for *post mortem* examination; and,

Also the account of the Palmetto Sentinel for public printing; which were referred to the Committee on Claims.

Mr. TILLINGHAST presented the petition of the Delegation from Beaufort District, on behalf of the citizens of the said District, praying aid in the construction of Bridges and causeways over Coosawhatchie Swamp.

and Cypress Creek; which was referred to the Committee on Roads, Bridges & Ferries; and

Also the account of William Youman's, Sheriff of Beaufort District, for Blankets furnished the Jail; which was referred to the Committee on Claims.

Mr. TORRE presented the Report of the Vestry of the Parish Church of St. James, Goose Creek, respecting the Ludlow School Fund; which was referred to the Committee on Education.-

Mr. LESESNE presented a petition for the Incorporation of the Church Home; which was referred to the Committee on Incorporations.

Mr. PORCHER presented the Return of the Commissioners of Free Schools for St. Stephen's Parish, for the year 1852; which was referred to the Committee on Education.

Mr. CAMPBELL presented the petition of the New England Society, praying a renewal of the act of their Incorporation; which was referred to the Committee on Incorporations.

Mr. BLAKENEY presented the account of Dr. A. Mallory, for *post mortem* examinations; which was referred to the Committee on Claims.

Mr. CASH presented the petition of the town council of Cheraw, praying an amendment of the Charter of the said town; which was referred to the Committee on Incorporations.

Mr. HASKELL presented the return of the Commissioners of Free Schools for St. Paul's Parish for the year 1852; which was referred to the Committee on Education.

Mr. MOORER presented the petition of sundry citizens of Orange & St. George's, Dorchester, praying that Cattle's Creek may be declared a public highway; which was referred to the Committee on Roads, Bridges & Ferries.

Mr. HAMMOND presented the petition of John E McDonald & Tully F. Sullivan, praying for an equitable settlement of a debt due to the State; which was referred to the Committee of Ways & Means.

Mr. FLAGG presented the petition of sundry citizens of All Saints, praying to abolish the poll at Sterritts' Swamp; which was referred to the Committee on Privileges and Elections.

Mr. MUNRO presented the petition of B. E. Sessions, Coroner of Horry District, praying to be repaid for money advanced by him, to defray the burial expenses of William Milligan, who came to his death by violence,

Mr. KERSHAW the account of Thomas J. Warren for public printing,

Mr. HUDGENS, the petition of Gabriel South, for remuneration for a Slave executed, and

Mr. CROSSON, the petition of B. J. Ramage, Clerk of the Court for Newberry District, praying payment for office rent; which were severally referred to the Committee on Claims.

Mr. DANTZLER presented the Return of Commissioners of Free Schools of St. Matthew's Parish, for the year 1852; which was referred to the Committee on Education.

Mr. MAYBIN presented the petition of Jesse E. Dent, praying payment of an account against the State; which was referred to the Committee on Claims.

Mr. HAMPTON presented the petition of John J. Kinsler, in relation to the Saluda and Columbia Canals; which was referred to the Committee on Internal Improvements.

Mr. DEAN presented the petition of sundry citizens of the Town of Spartanburg, praying that additional powers may be given to the Town Council of Spartanburg; which was referred to the Committee on Incorporations;

And also, the petition of J. R. Poole, praying payment for blankets, and so forth, furnished the Spartanburg Jail:

Mr. ASHMORE presented the account of Bryan & McCarter, for books and stationery furnished the Secretary of State, the Surveyor General, and the Courts of Appeal; and also the account of Gilbert & Fraser, for public printing; which were, severally, referred to the Committee on Claims.

Mr. J. I. INGRAM presented the petitions of sundry citizens of Clarendon, praying for and against a new road; which were referred to the Committee on Roads, Bridges and Ferries.

Mr. GREEN presented the petition of sundry citizens of Sumter District, praying the removal of obstructions to the free passage of fish up Lynch's Creek; which was referred to the Committee on Internal Improvements.

Mr. CLAWSON presented the account of Thomas J. Eccles, for public printing; and

Also, the account of Dr. J. R. Barrett, for medical services rendered the Catawba Indians; which were severally referred to the Committee on Claims.

The following message was received from the Senate, was concurred in, and an answer was returned:

IN THE SENATE, December 1, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives.*

Senate proposes to your House, to go, forthwith, into a fourth ballot for United States Senator.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. B. F. PERRY, from the Committee on the Judiciary, to whom had been referred A Bill to punish trespasses on real property, made a report; which was ordered for consideration to-morrow.

The Senate then attended and joined the House in a fourth ballot for United States Senator.

Mr. McGOWAN, from the Committee on the Military, to whom had been referred so much of the Message No. 2, of his Excellency, the Governor, as relates to the Board and Major of Ordnance, reported A Bill to alter and amend an Act, entitled "An Act to provide for the defence of the State; which was read a first time, and ordered to be read the second time to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the presentments of the Grand Juries of Charleston, recommending an alteration in the present Jail of that District;

On the petition of the Commissioners of Public Buildings for Richland District, praying leave to remove the Jail, and to sell a portion of the Jail lot; and on

The presentment of the Grand Jury of Abbeville, and the memorial of the Commissioners of Public Buildings for the same district; which were ordered for consideration to-morrow.

Mr. J. B. PERRY, from the Committee on Incorporations, to whom had been referred the petitions of sundry citizens of the Village of Bluffton, reported A Bill to incorporate the Village of Bluffton, in St. Luke's Parish, South Carolina; which was read the first time and was ordered to be read a second time, to-morrow.

Mr. J. B. PERRY, from the same Committee, to whom had been referred the memorial of the Commercial Insurance Company, reported A Bill to amend an Act entitled "An Act to incorporate the Commercial Insurance Company; which was read the first time and ordered to be read the second time, to-morrow.

Mr. J. B. PERRY, from the same Committee, to whom had been

referred the petition of the Trustees of the Beaufort Female Seminary, reported a Bill to incorporate the Beaufort Female Seminary; which was read the first time and ordered to be read the second time to-morrow.

Mr. J. B. PERRY, from the same Committee, to whom had been referred the petitions of the Beaufort and Columbia Building and Loan Associations, reported a Bill to incorporate the Beaufort and Columbia Building and Loan Associations; which was read the first time and ordered to be read the second time to-morrow.

Mr. J. B. PERRY, from the same Committee, made reports;

On A Bill to incorporate the German Artillery Company and Charitable Society of Charleston;

On the petition of the inhabitants of Adam's Run, praying for an Act of Incorporation; and,

On petitions of sundry citizens of Lancaster, praying the Incorporation of Providence Baptist Church, and Flat Creek Church, in said District; which were severally ordered for consideration to-morrow.

Mr. McBEE, from the Committee appointed to count the votes on the fourth ballot, for Senator in the Congress of the United States, reported that the Hon. Josiah J. Evans received 86 votes, and that 77 is a majority; Whereupon the SPEAKER announced that the Hon. Josiah J. Evans is elected a Senator in the Congress of the United States for the Term commencing 4th March, next.

Mr. READ, from the Committee on the Colored Population, to whom were referred so much of the presentments of the Grand Juries of Charleston and Georgetown Districts, as relates to the unlawful traffic with slaves, reported,

A Bill in relation to the qualification of Jurors and for other purposes, and,

A Bill to alter and amend the amendment of the Constitution of this State, ratified on the 19th day of December, in the year of our Lord one thousand eight hundred and ten; which were severally read the first time, and ordered to be read the second time to-morrow.

Mr. KEITT, from the Committee on District Officers and Offices, to whom was referred so much of the presentment of the Grand Jury of Sumter, as recommends an increase in the jurisdiction of Magistrates, reported A Bill to alter and amend an Act, entitled "An Act concerning the office and duties of Magistrates," which was read the first time and ordered to be read the second time to-morrow.

Mr. KEITT, from the same Committee, made a report on the petition

of sundry citizens of Pickens District, praying for an additional magistrate; which was ordered for consideration to-morrow.

Mr. CURETON, from the Committee on Grievance, made reports on

The presentment of so much of the Grand Jury of Colleton, as relates to the power of assessment bestowed on the Commissioners of the Poor and of Public Buildings; and,

On the practice of burning the woods and old fields; and,

On so much of the presentment of the Grand Jury of Abbeville, as relates to the practice of horse racing on public roads; which were ordered for consideration to-morrow.

Mr. WILLIAMS, from the Committee on Pensions, made reports on

The petition of James D. Mansfield;

The petition of Nancy Bailey; and,

The petition of Matthew Abbot; which were ordered for consideration to-morrow.

On motion of Mr. WILLIAMS, the Committee on Pensions was discharged from the consideration of the petition of Milly Ward, and Mr. DUNCAN obtained leave to withdraw the same.

On motion of Mr. WILLIAMS, the same Committee was discharged from the consideration of so much of the presentment of the Grand Jury of Abbeville as relates to the proper mode of maintaining public paupers.

Mr. BRADLEY, from the Medical Committee, made a report on the account of Dr. A. B. Crook, which was ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, to whom was referred so much of the Governor's Message, No. 2, as relates to a new Map of the State, made a report, which was ordered for consideration to-morrow.

The SPEAKER laid before the House the report of the Comptroller General on a Resolution of enquiry on the subject of Rail Road Stock held by the State; which was referred to the Committee of Ways and Means; and, on motion of Mr. MIDDLETON, was ordered to be printed.

Mr. KEITT, from the Special Joint Committee appointed to re-organize the Congressional Districts of this State, reported a Bill to arrange this State into Districts for the election of Representatives in the Congress of the United States, and for other purposes; which was read the first time and made the special order of the day for Saturday next, at 1 o'clock, P. M.

On motion of Mr. VANCE, the Reporter of the Due West Telescope was allowed a seat on the floor of this hall.

Pursuant to notice and by leave of the House, Mr. MITCHELL introduced a Bill to alter and amend an Act entitled "An Act to incorporate the North Eastern Rail Road Company; which was read the first time and referred to the Committee on Incorporations.

Mr. J. B. CAMPBELL gave notice that he will ask leave to-morrow to introduce a Bill to establish the line of the channel of Ashley River adjacent to the city of Charleston.

Mr. MELTON submitted the following Resolution; which was ordered for consideration to-morrow :

*Resolved*, That the Committee on Internal Improvements be directed to inquire into the condition of the Rocky Mount Canal, whether the same can be made to subserve any State purposes, and if not, whether the same can be advantageously sold for manufacturing or other purposes, and that they have leave to report to the next session of this House by Bill or otherwise.

Mr. HAMMOND gave notice that he will ask leave to-morrow to introduce A Bill to permit Joseph R. Breare, an alien, to apply for admission to practice in the Courts of Law & Equity in this State.

Mr. CLARKE gave notice that he will ask leave to-morrow to introduce A Bill to alter and amend so much of the 10th Section of the 1st article of the Constitution as relates to two days election for members of the Senate and House of Representatives.

On motion of Mr. READ,

*Resolved*, That the Committee on the Judiciary be instructed to inquire into and report on the expediency of reducing the amount of the Sheriff's bond for Georgetown District, as now required by Law.

Mr. DUNCAN submitted the following Preamble and Resolution, which were ordered for consideration to-morrow :

Whereas, the Free School appropriation for some of the Parishes and Districts of this State has under various pleas, been drawn contrary to the spirit and meaning of the Acts of Assembly of 1822 & 1823. Therefore

*Resolved*, That the Treasurer's of this State as well as the Comptroller General, shall in every instance require a strict conformity with the provisions of said Acts, any local custom or usage to the contrary, notwithstanding.

Pursuant to notice and by leave of the House, Mr. MUNRO introduced A Bill to alter and amend an Act entitled "An Act to regulate the sitting



of the Courts of Appeals, and for other purposes," which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice and by leave of the House, Mr. KERSHAW introduced A Bill to aid in the construction of a plank road from Camden to some point or points on the North Carolina line, in the direction of Munroe, Concord and Charlotte, in that State ; which was read the first time and referred to the Committee of Ways and Means.

Mr. PITTS gave notice that he will ask leave to morrow to introduce A Bill to compel each District and Parish in this State to pay the expenses of their contested Elections, for members of either branch of the Legislature, which may hereafter occur.

Pursuant to notice and by leave of the House, Mr. KEITT introduced A Bill to define the obligations and duties of companies, owning or working lines of Magnetic Telegraph, within the limits of South Carolina ; which was read the first time and referred to the Committee on the Judiciary.

Mr. HAMPTON submitted the following Resolution which was ordered for consideration to-morrow :

*Resolved*, That the Committee on the State House and Grounds be instructed to inquire into the expediency and cost of lighting the State House and Grounds with Gas.

On motion of Mr. TRADEWELL, the Reporter of the "Family Friend" was allowed a seat on the floor of this Hall.

Mr. LEITNER obtained leave to withdraw the account of Drs. Bivings & Cleland.

On motion of Mr. WALLACE, the Reporter of the Yorkville Remedy was allowed a seat on the floor of this House.

Mr. CLAWSON obtained leave to withdraw the account of Thomas J. Eccles.

Pursuant to notice and by leave of the House, Mr. CLAWSON introduced A Bill to amend an Act, entitled " An Act to increase the amount of property exempt from levy and sale ; which was read the first time and referred to the Committee on the Judiciary.

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders  
A Bill to alter the Constitution of this State so as to divide Pendleton District into two Election Districts, was read the second time.

Mr. B. F. PERRY moved to strike out the following clause of the Bill.

"The General Assembly shall have no power to divide any Election District for judicial purposes, unless by a vote of two thirds of both branches of two successive Legislatures;" and, after discussion thereon,

On motion of Mr. ASHMORE the debate was adjourned to 2 o'clock, P. M., to-morrow.

On motion of Mr. GREEN it was ordered, that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. GREEN the House was adjourned at 12 minutes past 4 o'clock, P. M.

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THURSDAY, DECEMBER 2, 1852.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and, a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House the following Reports:

Report of the Committee on Commerce, Manufactures and the Mechanic Arts, on the memorial of the officers and directors of the South Carolina Institute; which was referred to the Committee on Internal Improvements;

Report of the Committee on the Judiciary on the memorial of the Clerk of the Court of Appeals at Columbia, asking an increase of compensation; which was referred to the Committee on the Judiciary;

Reports of the Committee on Claims and Grievances on the account of the Charleston Mercury for printing; on accounts of the Carolinian, for public printing, and on other accounts of the Carolinian for printing done for the State; which were severally referred to the Committee on Claims.

Report of the Committee on the Military and Pensions, on the petition of Delilah Williams for arrears of pension; which was referred to the Committee on Pensions.

Mr. HEARST presented the petition of the Philomathian Literary Society of Erskine College, praying an act of incorporation; which was referred to the Committee on Incorporations.

Mr. BLAKENEY presented the petition of John C. Coit and others, praying for the grant of a right to construct a free bridge across the Pee

Dee river near Cheraw; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. ALLEN presented a petition praying the incorporation of the "Bethlehem Church Camp Ground," in Edgefield District; which was referred to the Committee on Incorporations.

Mr. MOBLEY presented the petition of sundry citizens of Edgefield District, praying a Charter for a new road, leading from Martin McCarty's to Jackson Holmes, and also a counter petition thereto of sundry other citizens

Mr. CHARLES presented the petition of Daniel Hughey, praying for a renewal of the charter to a ferry over the waters of Broad River.

Mr. DUNCAN presented the petition of the citizens of North Carolina, praying that a certain road down the middle fork of the Saluda may be opened and chartered, and

Mr. B. F. PERRY the petition of the City Council of Augusta, praying for the renewal of the Charter of the Augusta Bridge; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. CURETON submitted the presentment of the Grand Jury of Lancaster for Fall Term, 1852.

So much as recommends but one day of Election for members of the Legislature, and

So much as recommends a change in the time for electing members of Congress; were referred to the Committee on Privileges and Elections, and

So much as recommends an increase of the appropriation to Free Schools, was referred to the Committee on Education.

Mr. GARLINGTON presented the petition of E. P. Lake, Ordinary  
\* of Newberry District, praying to be paid rent for office, which was referred to the Committee on Claims

Also the petition of the Commissioners of Public Buildings of Newberry District, praying an appropriation to build a new Jail; which was referred to the Committee on Public Buildings.

Mr. McKNIGHT presented the petition of sundry citizens of Williamsburg District, in reference to the killing of deer in the said District; which was referred to the Committee on Grievances.

Mr. MAYBIN presented the petition of the Commissioners of Free Schools of the Town of Columbia; which was referred to the Committee on Education.

Mr. MIDDLETON from the Committee of Ways and Means, to whom

had been referred the memorial of, and A Bill to grant additional aid in the construction of the Spartanburg and Union Rail Road, made a report, which was ordered for consideration to-morrow ; and

Reported a Bill to alter and amend an Act, entitled " An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road, which was read the first time, and ordered to be read a second time to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred

A Bill to alter and amend the law in relation to the collection of debts, from free persons of color,

A Bill to secure planters and factors from frauds, under pretence of cash sales of produce ; and

A Bill concerning derelict estates, and the partition and sale of real estate by the Ordinary ; and also

The petition of Michael Lorick ; made reports, which were ordered for consideration to-morrow.

Mr. HUTSON from the same Committee, to whom had been referred A Bill to declare and amend the Law in relation to the words of limitation in Deeds and Wills ; made a report which was ordered for consideration to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, to whom had been referred

A Bill to amend the Charter of the Wilmington and Manchester Rail Road Company, and

A Bill to authorize the South Carolina Rail Road Company, to build a certain bridge over Congaree River, made reports, which were ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims made reports

On the account of Dr. J. H. Thompson ;

On the petition of Benjamin Perry ;

On the account of W. W. Purse ;

On the petition of J. R. Poole ;

On the account of Bryan & McCarter ;

On the account of Thomas J. Warren ;

On the account of Thomas J. Eccles ;

On the petition of Gabriel South ;

On the account of Gilbert & Fraser ;

On the Senate's Resolution in relation to claims for public printing ;

On the petition of Jesse E. Dent ;

On the claim of Dr. J. O. Hagood ;

On the account of Dr. A. Malloy ;

On the petition of B. E. Sessions ; and,

On the report of the Senate's Committee on the account of Harrison & Norris ; which were ordered for consideration to-morrow.

Mr. ASHMORE, from the same Committee, made an unfavorable report on the petition of B. J. Ramage ; which was ordered to be considered immediately, and was agreed to.

Mr. GARLINGTON obtained leave to withdraw the said petition.

Mr. MCGOWAN, from the Committee on the Military, to whom had been referred

The petitions of the Edgefield Flying Artillery, and the Washington Light Infantry, and the following Bills :

A Bill to alter and amend the 97th section of the Militia Law of this State, so as to authorize Colonels of Regiments to appoint their own Collectors of Fines ;

A Bill to give to the officers commanding Companies the right to hold Courts Martial for the trial of all defaulters for company and patrol duty, within their respective limits ;

A Bill to reduce the number of petty musters, and for other purposes ; and,

A Bill to diminish the duties and reduce the salary of the Adjutant and Inspector General ; made reports, which were ordered for consideration to-morrow.

Mr. CROSSON, from the same Committee, made a report of a minority of the Committee, on a Bill to diminish the duties and reduce the salary of Adjutant and Inspector General ; which was ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports on the petition of the Commissioners of Public Buildings for Pickens District, praying an appropriation to erect a portico and steps to the Court House of said District ;

On the presentment of the Grand Jury of Orangeburg District, Fall Term, 1852, on the necessity of an appropriation to enlarge and improve the Court House of said District ;

On the presentment of the Grand Jury of Williamsburg, Fall Term, 1852, recommending the enlargement of the Court House of said District ; which were ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, made a report on the petition for an Act to incorporate the town of Walhalla; which was ordered for consideration to-morrow.

Mr. POPPENHEIM, from the same Committee to whom had been referred the petition of sundry citizens, praying an Act of incorporation of the Insurance Company of Charleston, reported a Bill to incorporate the Carolina Mutual Insurance Company of Charleston; which was read the first time, and ordered to be read the second time to-morrow.

Mr. SULLIVAN, from the Committee on Education, to whom had been referred A Bill to alter and amend the Free School Laws of this State, made a report which was ordered for consideration to-morrow; and, reported

A Bill to alter and amend the Free School Laws of this State; which was read the first time and ordered to be read the second time to-morrow.

Mr. SULLIVAN, from the same Committee, to whom had been referred

A Bill to appropriate the sum of three thousand five hundred dollars for the erection of a suitable building for the education of the deaf and dumb of this State, at Cedar Springs, in Spartanburg District; and,

A Bill to establish Boards of Direction for Common Schools and for other purposes; made reports which were ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom had been referred the petition of Robert Hopton, reported A Bill to exempt Robert Hopton, a free person of color, from the Capitation Tax; which was read the first time and ordered to be read the second time to-morrow.

Mr. CURETON, from the Committee on Grievances, to whom was referred so much of the presentment of the Grand Jury of Georgetown, as relates to the use of decoys and nets for ducks and fish, made a report which was ordered for consideration to-morrow.

The SPEAKER announced that Mr. Laurens is added to the Committee on Agriculture, and to the Committee on Colored Population.

The SPEAKER laid before the House the following communication:

COLUMBIA, December 2, 1852.

*To the Hon. James Simons,*

*Speaker of the House of Representatives:*

DEAR SIR,—Having been notified that I have been elected to represent this State in the Senate of the United States, I take the earliest opportunity to signify to the Legislature, my acceptance of that appointment.

This of course vacates my office as one of the Law Judges of the State.

I have the honor to be, most respectfully,  
Your obd't serv't,

JOSIAH J. EVANS.

Which was referred to the Committee on Vacant Offices

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. B. J. JOHNSON in the Chair, and proceeded to the consideration of sundry Bills prescribing the manner in which Electors for President and Vice President shall be elected, submitted by Messrs. Poppenheim, Keitt, Tillinghast, Kershaw and McCrady, and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

Mr. McGOWAN introduced the following resolution; which was ordered to be considered immediately, and was agreed to:

*Resolved*, That the Hon. Mr. Miller, President of the Senate of the State of Georgia be invited to a seat on this floor.

Mr. McGOWAN gave notice that he will to-morrow ask leave to introduce A Bill to alter and amend an "Act to ascertain and define the powers, duties, and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices.

Mr. WAGNER introduced the following resolution, which was ordered to be considered immediately, and was agreed to:

*Resolved*, That the SPEAKER appoint the usual Committee on the State House and Grounds, and, that a message be sent to the Senate to request that body to appoint a similar Committee to act with the Committee of this House.

The SPEAKER appointed the following gentlemen of the Committee. Messrs. Wagner, Hunt and Keitt, and a message was sent accordingly.

Mr. J. B. CAMPBELL introduced the following resolutions, which were ordered to be considered immediately, to be printed, and to be made the special order of the day, for Friday next, at 1 o'clock, P. M.

*Resolved*, That the Banking Capital already invested in the Chartered Banks of this State ought not to be diminished, and, that existing Bank Charters, where no abuse of their chartered privileges, or violation of duty is charged, ought to be renewed, but where there are, or hereafter shall

be, two or more banks, in the same town or city, it is good policy that the amount of capital stock of each shall be the same.

*Resolved*, That it is against sound policy, to encourage by chartered privileges, or otherwise, the aggregation of capital for the purpose of sending it abroad, to be engaged in adventures in no wise connected, except in rivalry with the Agriculture, Commerce or Manufactures of this State.

*Resolved*, That the practice of sending abroad a large portion of our banking Capital, periodically, each year, for the purpose of dealing or speculating in bills of exchange, based upon the purchase of produce and merchandize, which never reaches any market in this State, would necessarily cause periodical contraction and expansion in banking affairs, prejudicial to mercantile enterprizes and to our great agricultural staples; and that such practice ought to be prevented by provisions in all future bank charters to be granted or renewed by this General Assembly.

Pursuant to notice and by leave of the House, Mr. J. B. CAMPBELL introduced A Bill to establish the line of the Channel of Ashley River adjacent to the City of Charleston, and progress having been made in the first reading thereof, on motion of Mr. ASHMORE, the House proceeded to the consideration of the

### GENERAL ORDERS,

and resumed the debate on a Bill to divide Pendleton into two Election Districts.

The question recurring on Mr. B. F. PERRY'S motion to strike out the following clause,

The General Assembly shall have no power to divide any Election District for Judicial purposes, unless by a vote of two-thirds of both branches of two successive legislatures.

Mr. MIDDLETON moved to strike out the words "of two successive legislatures;" which passed in the affirmative.

The question was then put, "will the House agree to Mr. B. F. PERRY'S motion to strike out the clause," which passed in the affirmative.

Mr. TILLINGHAST submitted the following amendment:

"The future division of an Election District for Judicial purposes, shall not be construed to give a claim to a corresponding division into Election Districts."

On motion of Mr. THOMSON the amendment was ordered to *lie on the Table*.

The Bill was then read the second time, and the question being put.



Will the House agree thereto ? it passed in the affirmative, two-thirds of the whole representation in the House of Representatives agreeing thereto.

Ayes, 91—Nays, 25.

Those who voted in the affirmative are :

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,	Messrs. Gadberry,
Allen.	Garlington,
Anderson,	Gourdin,
Ashmore,	Green,
Bates,	Hammond,
Beaty,	Hampton,
Blakeney,	Harrison,
Blum,	Hearst,
Boykin,	Hope,
Boylston,	Howell,
Bradley,	Hudgens,
Brown,	J. I. Ingram,
Broyles,	W. R. Johnson,
Burt,	Jordan,
Byrd,	Kershaw,
J. B. Campbell,	Lanneau,
R. E. Campbell,	Leitner,
Carwile,	Lesesne,
Cash,	McBee,
Cauthen,	McCrary,
Charles,	McGowan,
Christie,	McKnight,
Clarke,	Maybin,
Clawson,	Melton,
Crosson,	Middleton,
Cruikshank,	Mitchell,
Cureton,	Mobley,
Dean,	Morgan,
Duncan,	Mullins,
Durant,	Munro,
Ervin,	Owens,
Fox,	Patterson,

Messrs. B. F. Perry,  
 Pickens,  
 Pitta,  
 Poppenheim,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Shedd,  
 Sloan,  
 Springs,  
 Steele,  
 Sullivan,

Messrs. Thomson,  
 Thornwell,  
 Torre,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Weatherly,  
 Williams, and  
 Witherspoon.

Those who voted in the negative are :

Messrs. Bailey,  
 Burnet,  
 Couter,  
 Elliott,  
 Ellis,  
 Flagg,  
 Gadsden.  
 Haskell,  
 Hutson,  
 B. J. Johnson,  
 A. R. Johnston,  
 King,  
 Laurens,

Messrs. Lawton,  
 Manigault,  
 Moorer,  
 Murray,  
 J. B. Perry,  
 Porcher,  
 Read,  
 Seabrook,  
 Sinkler,  
 Stokes,  
 Tillinghast, and  
 Wescoat.

The Bill was then ordered to be sent to the Senate.

Mr. B. J. JOHNSON, from the Committee of the whole House, to whom had been referred sundry Bills, providing for the election of Electors of President and Vice President of the United States, reported that the Committee had made progress therein, and asked leave to sit again on Tuesday next, at 1 o'clock, P. M.

On motion of Mr. B. J. JOHNSON, leave was granted to the Committee to sit again on Tuesday next, at 1 o'clock, P. M.

The following message was received from the Senate, which, on motion of Mr. TRADEWELL, was ordered to *lie on the Table*.

IN THE SENATE, December, 2, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate proposes to your House to go into an election for a Law Judge, to fill the vacancy occasioned by the acceptance of the Hon. Josiah J. Evans of the office of United States Senator, to which he has been elected, on Saturday next, at half past 12 o'clock, M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, *Ordered*, that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. ASHMORE, the House was adjourned at 40 minutes past 4 o'clock, P. M.

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FRIDAY, DECEMBER 3, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and, a quorum being present, the Journal of yesterday's proceedings was read.

The Senate returned to this House with their concurrence the following reports:

Reports of the Committee on Claims;

On the account of R. M. Stokes;

On the petition of Dr. Josiah B. Fishburne;

On the account of Britton & Mickle;

On the petition of the Palmetto Standard, and the report of the Committee of Ways and Means on the petition of Weyhe and Wessels.

The Senate sent to this House for concurrence the following reports:

Of the Committee on the Library on the memorial of G. E. Walker and John Johnson, asking aid in the publication of a Map of the State, and the message of the Governor in relation thereto; which was referred to the Committee on the Legislative Library;

Of the Committee on the Military and Pensions on the petition of Robert Hopton, a free person of color, praying exemption from capitation tax; which was referred to the Committee on Colored Population; and

Of the Committee on Claims and Grievances, on the account of Isaac

Vansant, for blankets furnished the jail of Lexington District; which was referred to the Committee on Claims, and

A Resolution for additional distribution of 1st volume of Mr. Calhoun's works, to members of the Legislature; which was referred to the Committee on Federal Relations, and

Also a Resolution for the adjournment of the General Assembly; which was ordered for consideration to-morrow.

The Senate also sent to this House the following Bills; which were read the first time.

A Bill to incorporate the town of Bluffton; which was referred to the Committee on Incorporations;

A Bill to punish assaults committed with concealed weapons; and

A Bill to declare and amend the law in relation to words of limitation in Deeds and Wills; which were severally referred to the Committee on the Judiciary, and

A Bill to authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road; which was referred to the Committee of Ways and Means.

The following message was received from the Senate :

IN THE SENATE, Dec. 2, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Claims of your House on the account of the Charleston Courier for public printing, by allowing the following charges which were rejected by the Committee of your House, viz : for advertising presentments of Grand Jury of Charleston District, of \$5 85, and for advertising Courts of Appeals, order of Dockets, of \$3 90, amounting together to nine dollars and seventy-five cents; and by striking out "twenty-five 18-100 dollars" and inserting in lieu thereof thirty-four dollars and ninety-three cents.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House refused to grant leave to the Senate to make the amendment, and a message was sent accordingly.

The House resumed the reading of, and read the first time a Bill, introduced yesterday by Mr. J. B. CAMPBELL, to establish the line of the channel of Ashley river adjacent to the city of Charleston; which was referred to the Charleston Delegation.

Mr. HEARST presented the petition of S. B. Cook, William B. Dorn,

and other citizens of Abbeville and Edgefield Districts, praying for the opening of a public road, and

Mr. WAGNER the petition of sundry citizens of Mount Pleasant, praying that a charter be not granted to the Mount Pleasant Ferry Company for the establishment of a ferry between Haddrell's Point and Sullivan's Island; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MITCHELL presented the Memorial of sundry citizens of Charleston, members of the "Charleston Club," for an Act of Incorporation; which was referred to the Committee on Incorporations.

Also, the petition of Samuel Hart and others, members of the Jewish Congregation Shearit, Israel, praying that the Legislature will not vest in the members of Beth Elohim, the exclusive right in the Jewish Cemetery; which was referred to the Committee on the Judiciary.

Mr. BLAKENEY presented the Report of the Board of Direction of the Cheraw and Anson Plank Road Company; which was referred to the Committee of Ways and Means.

Mr. CASH presented the account of James Powell, for public printing; which was referred to the Committee on Claims.

Mr. CHRISTIE presented the petition of the Commissioners of Public Buildings for Edgefield District, praying further aid in building the New Jail; which was referred to the Committee on Public Buildings.

Mr. MIDDLETON presented the return of the Commissioners of Free Schools for Winyah, for the year 1852; and

Mr. MULLINS presented the return of the Commissioners of Free Schools for Marion District; which were severally referred to the Committee on Education.

Mr. MULLINS also presented the report of the Wilmington and Manchester Rail Road Company; which was referred to the Committee of Ways and Means, and ordered to be printed.

Mr. GARLINGTON presented the petition of sundry citizens of Frog Level, and others, praying an amendment of their charter of Incorporation; which was referred to the Committee on Incorporations.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the petition of J. E. McDonald, and T. F. Sullivan; and

On the petition of J. T. Coleman; which were ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom was referred

A Bill to authorise the State to aid in the construction of the North Eastern Rail Road, made a report ; which was ordered for consideration to-morrow ; and reported A Bill to release from pledge the rail road shares belonging to the State ; which was read the first time, and ordered to be read the second time to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom had been referred A Bill to provide for the more perfect and prompt administration of justice, made a report, which was ordered for consideration to-morrow.

Mr. BOYLSTON, from the same Committee, to whom had been referred the petition of James Fuller, reported A Bill to authorise the conveyance of lots, numbered 29 and 30, in the town of Columbia, to James Fuller, upon certain considerations ; which was read the first time, and was ordered to be read a second time to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports on

The report of the Senate Committee, on Claims, on the accounts of the *Charleston Mercury*, for printing done for the State.

The report of the Senate Committee on Claims on the accounts of the proprietors of the *Charleston Mercury* for printing.

The report of the Senate's Committee on Claims on other accounts of the proprietors of the *South Carolinian* for printing done for the State.

The petition of E. P. Lake.

The report of the Senate Committee on Claims, on the accounts of the proprietors of the *South Carolinian*, for printing done for the State ; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the petition of Isaac Vansant, and

Mr. FOX obtained leave to withdraw the same ;

Also from the consideration of the account of William Youman, Sheriff of Beaufort District, and,

Mr. TILLINGHAST obtained leave to withdraw the same ; and,

Also from the consideration of the account of the *Palmetto Sentinel* ; and

Mr. OWENS obtained leave to withdraw the same.

Mr. OWENS from the Committee on Roads, Bridges, and Ferries, made reports on

A Bill to alter and amend the License Laws of this State ;

The petition of sundry citizens of Clarendon, praying for a new road ;

The petition of sundry citizens of Anderson District, for the continuance of a road ;

The petition of the Board of Commissioners of St. James' Santee, praying an alteration in the Road Law ;

The petition of sundry citizens of Edgefield District, praying the opening of a new road ;

The petition of the Delegation from Beaufort District, praying the construction of certain bridges and causeways ;

The petition of C. J. Gaffney ; which were ordered for consideration to-morrow.

On motion of Mr. OWENS the Committee on Roads, Bridges and Ferries, was discharged from the consideration of the petition of sundry citizens of Orange and St. George's Dorchester, praying that Cattle's Creek may be declared a public highway, and the same was referred to the Committee on Internal Improvements.

The House reconsidered the vote ordering the report of the Committee on Roads, Bridges and Ferries, on the petition of C. J. Gaffney, to be considered to-morrow, and the same was recommitted to the same Committee.

Mr. McCRADY, from the Committee on Incorporations, to whom had been referred the memorial of sundry citizens, praying for a charter to construct a Rail Road from Hamburg up the Valley of the Savannah, connecting with the Rabun Gap Rail Road, and for branches from the same, reported,

A Bill to provide for the formation of the Savannah River Valley Rail Road Company ; which was read the first time and ordered to be read the second time to-morrow.

Mr. J. P. PERRY, from the same Committee to whom had been referred A Bill to incorporate the " Fireman's Insurance Company of Charleston," made a report ; which was ordered for consideration to-morrow.

Mr. MELTON, from the same Committee to whom had been referred A Bill to incorporate the Johnson Female University, made a report ; which was ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, to whom had been referred the presentments of the Grand Juries of Lancaster, Sumter, Abbeville, Kershaw, Newberry, Beaufort, Charleston and Richland Districts, in relation to Free Schools, made a report ; which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom had been referred A Bill to prohibit the selling of spirituous liquors to free

persons of color, made a report ; which was ordered for consideration to-morrow.

Mr. DUNCAN, from the Committee on Agriculture, made reports on A Bill to amend an Act, entitled " An Act to provide for the Inspection of Flour;" and

On the petition of the Greenwood Agricultural Society, praying the transfer of certain funds ; which were, severally, ordered for consideration, to-morrow.

Mr. LANNEAU, from the Committee on Vacant Offices, to whom had been referred the resignation of the Hon. Josiah J. Evans, made a report; which was ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, to whom had been referred a resolution from the Senate, providing for sending certain books from the Legislative Library, to the Mercantile Library Association of Charleston, made a report; which was ordered for consideration to-morrow.

The following message was received from the Senate :

IN THE SENATE, Dec. 3, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate concurs in the Message from your House, informing Senate that your House has appointed Messrs. Wagner, Hunt and Keitt, a Committee on the State House and Grounds, and informs your House that it has appointed Messrs. Bull, Bedon and Goodwyn, a Committee to act jointly with the Committee of your House.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was received from the Senate, and was ordered to lie on the Table.

IN THE SENATE, Dec. 3, 1852.

*Mr. Speaker and Gentlemen  
Of the House of Representatives :*

Senate informs your House that the President of the Senate has appointed Professor Williams of the South Carolina College, to fill the vacancy occasioned by the death of Col. James Gregg, in the commission which was appointed under the joint resolution of last Session, to take charge of the Fire Proof Building now under construction.

By order of the Senate.

ROBT. F. W. ALLSTON, President.



The following resolution, submitted by Mr. TORRE, was ordered to be considered immediately, and was agreed to :

*Resolved*, That two hundred (200) copies of the 60th Rule, as recently amended, be printed for the use of the House.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the whole House, Mr. McGOWAN in the Chair, and proceeded to the consideration of

1. A Bill to extend the charter of the Bank of the State of South Carolina.

2. Resolutions declaratory of the principles on which charters to private Banks should be granted ; and

3. Resolutions respecting the principles of banking, and suggesting provisions to be inserted in Bank charters hereafter to be granted ; which had been made the Special Order of the day, for this day at 1 o'clock, P. M. and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

On motion of Mr. CLAWSON, it was ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. CLAWSON, the House was adjourned at half past 4 o'clock, P. M.

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### SATURDAY, DECEMBER 4, 1852.

A the hour to which the House was adjourned the Clerk called the Roll, when the Speaker took the Chair, and a quorum being present the Journal of yesterday's proceedings was read.

The Senate returned to this House with their concurrence the following Reports :

Of the Committee on Claims ;

On the account of Dr. P. M. Wallace ;

On the account of J. J. Atwood ;

On the account of V. Little ;

On the account of J. J. Rowe.

The Senate sent to this House for concurrence the report of the Committee on the Lunatic Asylum and Medical Accounts, on the accounts of Dr. George Pelzer for two *post mortem examinations*, and the report of

the same Committee on the account of Dr. J. M. Carr for a *post mortem examination*; which were severally referred to the Medical Committee.

The Senate also sent to this House the following Bills, which were read the first time:

A Bill to incorporate the "Columbia Gas Light Company;" which was referred to the Committee on Incorporations, and

A Bill to incorporate the Exchange Bank in the town of Columbia; which was referred to the Committee of Ways and Means.

Message No. 4 was received from His Excellency the Governor, as President of the Board of Trustees of South Carolina College, and read by his private Secretary Col. Beaufort T. Watts, inviting the General Assembly to attend the Commencement of that Institution on Monday next; which was referred to the Committee on Education.

The SPEAKER, under the amendments of the 60th Rule of this House, called in alphabetical order the several judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners and such like papers, when

Mr. SLOAN presented the Returns of Commissioners of Free Schools for Anderson District for 1852; which was referred to the Committee on Education.

Mr. REYNOLDS presented the account of Dr. J. Ford Prioleau for medical services; and

Mr. W. R. JOHNSON, the account of James Twing for defraying the burial expenses of S. W. Arnold; which were severally referred to the Committee on Claims.

Mr. W. R. JOHNSON also presented the account of Dr. J. R. McQueen for medical services and a *post mortem examination*; which was referred to the Medical Committee.

Mr. WILLIAMS presented the petition of sundry citizens of York District for the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. McGOWAN, from the Committee of the whole House, to whom had been referred a Bill to extend the Charter of the Bank of the State of South Carolina;

Resolutions declaratory of the principles on which Charters to private Banks should be granted; and

Resolutions respecting the principles of banking and suggesting provisions to be inserted in Bank Charters hereafter to be granted, made a Re-

port, recommending that the Bill referred to them do pass; which was ordered for consideration on Monday next.

Mr. MCGOWAN, from the same Committee, reported that they had made progress in the consideration of the Resolutions referred to them, and asked leave to sit again to-day at 2 o'clock P. M., and on motion of Mr. MCGOWAN, leave was granted to the Committee to sit again.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred a Bill to amend the third Section of an Act, entitled "An Act to afford aid in constructing the Colleton Rail Road," ratified December 20, 1850, made a Report; which was ordered for consideration on Monday next.

Mr. MIDDLETON, from the same Committee, to whom had been referred A Bill to authorize the State to afford aid in constructing the Pendleton Rail Road, made a Report; which was ordered for consideration on Monday next, and reported a Bill to authorize the State to aid in the construction of the Pendleton Rail Road; which was read the first time and was ordered to be read the second time on Monday next.

Mr. MIDDLETON, from the same Committee, to whom had been referred a Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road, made a report which was ordered for consideration on Monday next, and reported a Bill to authorize the State to grant aid in the construction of the Cheraw & Darlington Rail Road; which was read the first time and ordered to be read the second time on Monday next.

Mr. TILLINGHAST, from the Committee on the Judiciary, to whom had been referred a Bill from the Senate, to release the right and interest of the State in certain property, to Levi Gibson, made a report; which was ordered for consideration on Monday next.

Mr. BOYLSTON, from the same Committee, to whom had been referred a Bill to alter and amend an Act to regulate the sittings of the Courts of Appeals and for other purposes, and a Bill to provide for carrying cases from the Circuit Courts of Law to the Appeal Court, and providing for bills of exceptions, made reports; which were ordered for consideration on Monday next.

Mr. BOYLSTON, from the same Committee, to whom had been referred a Bill further to amend the law in relation to Sheriffs, and

A Bill to fix the term of office of all persons officially entitled to receive the money of citizens and to secure more perfectly money in the hands of public officers, made reports; which were ordered for consideration on

Monday next, and reported a Bill to secure a more perfect accountability on the part of Public Officers, which was read the first time and ordered to be read the second time on Monday next.

Mr. HUNT, from the same Committee, made reports on a Bill to abolish the laws against Usury ;

On the report of the Clerks of the Senate and House of Representatives on the Saxe Gotha Bill ; and

On the memorial of the Clerk of the Court of Appeals at Columbia ; which were ordered for consideration on Monday next.

Mr. B. F. PERRY, from the same Committee, to whom had been referred a Bill to alter and arrange the times of the sitting of the Courts of Equity in the fifth Circuit, made a report ; which was ordered for consideration on Monday next.

Mr. LEITNER, from the Committee on Internal Improvements, made reports

On the memorial of William Lawton and others, and on the report of the Senate on the memorial of the officers and directors of the South Carolina Institute ;

On the petition of sundry citizens of Orange and St. George's, praying that Cattle's Creek be declared a public highway ; and

On the petition of sundry citizens of Williamsburg in reference to the killing of deer in said District ; which were ordered for consideration on Monday next.

Mr. CHARLES, from the Committee on Public Buildings, made a report on the memorial of the Commissioners of Public Buildings of Anderson District, praying an appropriation, made a report ; which was ordered for consideration on Monday next.

Mr. JOSIAH B. PERRY, from the Committee on Incorporations to whom was referred A Bill from the Senate to incorporate the town of Bluffton, made a report, which was ordered for consideration on Monday next.

Mr. KING, from the same Committee, made reports on the petitions for the Incorporation of 'Bethlehem Church Camp Ground,' in Edgefield District, and

On the petitions of the Town Council of Cheraw ; sundry citizens of Laurens ; Axe Company of Charleston Neck ; and of William Reynolds and others for incorporation of the Hibernian Benevolent Society ; which were ordered for consideration on Monday next.

Mr. REED, from the Committee on Colored Population, made a report on

a report of the Senate Committee on the Military and Pensions on the petition of R. Hopton; which was ordered for consideration on Monday next.

Mr. CURETON, from the Committee on Grievances, made a report on the petition of sundry citizens of Union, relative to the delay in the delivery of goods by Rail Road Companies; which was ordered for consideration on Monday next.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the petition of Eveline Dill; which was ordered for consideration on Monday next.

Mr. BOYKIN, from the Committee on the Legislative Library, made a report on the memorial of G. E. Walker and John Johnson, and the Message of the Governor in relation thereto, made a report; which was ordered for consideration to-morrow.

The SPEAKER, under the amendments to the 60th Rule of this House, in the alphabetical order of Judicial Districts, called for resolutions, bills and motions, commencing with Charleston, when

Mr. POPPENHEIM submitted the following resolutions, which were ordered to be considered immediately and were agreed to.

*Resolved*, That a Committee of Inspection for the principal Bank of the State of South Carolina, in Charleston, and a Committee for each of the Branches of the Bank, be appointed, in accordance with the Act to amend the charter of the Bank of the State of South Carolina, passed on the 18th day of December, 1824; and that a message be sent to the Senate, requesting that body to appoint a similar Committee.

*Resolved*, That each member of the several Committees be allowed the same mileage and per diem pay, that is received by members of the General Assembly of the State of South Carolina.

Mr. HUNT gave notice that he will on Monday next ask leave to alter the 63rd Rule of this House.

Pursuant to notice and by leave of the House, Mr. HAMMOND introduced a Bill to permit Joseph R. Breare an alien, to apply for admission to practice in the Courts of Law and Equity in this State; which was read the first time and referred to the Committee on the Judiciary.

On motion of Mr. BOYLSTON, it was ordered, that when this House adjourns, it shall be apjourned to meet on Monday next at 9 o'clock, A. M.

Pursuant to notice and by leave of the House, Mr. BOYLSTON introduced A Bill to amend the tenth section of the first article of the Constitution of this State; which was read the first time and referred to the Committee on Privileges and Elections,

Pursuant to notice and by leave of the House, Mr. PITTS introduced A Bill to compel each District and Parish in this State to pay the expenses of their respective contested elections for members of either branch of the Legislature which may hereafter occur ; which was read the first time and referred to the Committee on District Officers and Offices.

Mr. TRADEWELL gave notice that he will on Monday next ask leave to introduce A Bill to exempt Apothecaries from liability to perform militia duty ; also,

To move to recind the amendments to the 60th Rule of this House.

The SPEAKER having finished the call for Resolutions, Bills and Motions in the order of Judicial Districts,

Mr. MCGOWAN proposed, pursuant to notice, and by leave of the House, to introduce A Bill to alter and amend an Act, entitled, " An Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective officers.

The SPEAKER decided that the call having been completed, the leave could not be granted, unless by the unanimous consent of the House.

No member objecting, Mr. MCGOWAN introduced the Bill ; which was read the first time, and referred to the Committee on District Officers and Offices.

By unanimous consent, Mr. SULLIVAN, from the Committee on Education, made a report upon the Message No. 4, of his Excellency the Governor, making arrangements for the commencement of the South Carolina College ; which was ordered to be considered immediately, was agreed to and ordered to be sent to the Senate for concurrence.

By unanimous consent, Mr. OWENS introduced the following Resolution, which was ordered to be considered immediately and was agreed to :

*Resolved*, That a Committee consisting of one from each Congressional District be appointed to nominate suitable persons as President and Directors of the Bank of the State of South Carolina, and that a message be sent to the Senate, requesting that body to appoint a similar Committee to meet the Committee on the part of this House.

Whereupon the SPEAKER appointed the following gentlemen the Committee on the part of this House : Messrs. Owens, Sinkler, Bradley, Boykin, Dean, Garlington and Broyles.

By unanimous consent, Mr. READ submitted the following resolution, which was ordered to be considered immediately, and was agreed to :

*Resolved*, That the Committee on the Library be instructed to report on

the propriety of purchasing the Bust executed by Hiram Powers, of the late J. C. Calhoun, and that the same be placed in a suitable location in the Legislative Library,

### SPECIAL ORDER.

On motion of Mr. BRADLEY, the House proceeded to the consideration of the Bill to arrange this State into Districts for the election of Representatives in the Congress of the United States, and for other purposes, which had been made the special order of the day for this day at 1 o'clock, P. M.

On motion of Mr. GADBERRY, the special order was discharged, and the said Bill was made the special order of the day for Tuesday next, at 2 o'clock, P. M.

The following Message was received from the Senate :

IN THE SENATE, December 3, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives.*

Senate insists upon asking leave of your House to amend the report of the Committee on Claims of your House, on the account of the Charleston Courier for public printing, by allowing the following charges, which were rejected by the Committee of your House, viz : for advertising presentments of Grand Jury for Charleston District of \$5.85, and for advertising Courts of Appeal, order of Dockets of \$3.90, amounting together to nine dollars and seventy-five cents, and by striking out twenty-five 18-100 dollars, and inserting in lieu thereof " thirty-four dollars and ninety three cents," and has appointed Messrs. Dudley and Carew a Committee of Conference, and respectfully asks your House to appoint a similar Committee to meet the Committee of the Senate on that subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. TRADEWELL, the message was ordered to *lie on the Table*.

### SPECIAL ORDER.

The House then proceeded to the consideration of Resolutions declaratory of the principles on which charters to private Banks should be granted ; and,

Resolutions respecting the principles of Banking, which had been made the special order of the day for this day at 2 o'clock, P. M., in Committee

of the Whole House, Mr. McGOWAN in the Chair; and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

### GENERAL ORDERS.

On motion of Mr. OWENS, the House proceeded to the consideration of the general orders.

The following Resolution from the Senate was read ;

*Resolved*, That this General Assembly will adjourn *sine die* on Wednesday, 15th December, instant, at 9 o'clock, P. M.

Mr. TUCKER moved to amend the Resolution by striking out " Wednesday, 15th," and inserting " Thursday, 16th."

On motion of Mr. POPPENHEIM, the amendment was ordered to *lie on the Table*.

Mr. BOYLSTON moved to amend the Resolution by striking out " Wednesday, 15th," and inserting " Friday, 17th."

Mr. POPPENHEIM moved to lay the amendment on the table, which passed in the affirmative.

Yeas, 55—Nays, 54.

The yeas and nays were requested, and are as follows.

Those who voted in the affirmative are :

Messrs. Alexander,

Allen,

Bailey,

Bates,

Beaty,

Blum,

Boykin,

Byrd,

Carwile,

Cauthen,

Christie,

Clawson,

Cooner,

Crosson,

Dean,

Durant,

Ellis,

Messrs. Flagg,

Gadsden,

Hammond,

Harrison,

Howell,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

King,

Laurens,

Lawton,

Lesesne,

Manigault,

Mobley,

Mullins,

Munro,

Murray,



Messrs. Owens,

Patterson,

J. B. Perry,

Poppenheim,

Porcher,

Read,

Reynolds,

Rice,

Rosborough,

Seabrook,

Sinkler,

Messrs. Sloan,

Steele,

Stokes,

Thomson,

Thornwell,

Tillinghast,

Wagner,

Wallace,

Weatherly, and

Wescot.

Those who voted in the negative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Anderson,

Blakeney,

Boylston,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Cash,

Charles,

Cruikshank,

Cureton,

Duncan,

Elliott,

Ervin,

Fox,

Gadberry,

Garlington,

Gourdin,

Green,

Hampton,

Hearst,

Hope,

Hudgens,

Hunt,

Hutson,

Messrs. Jordan,

Lanneau,

Leitner,

McBee,

McCrary,

McGowan,

McKnight,

Maybin,

Melton,

Middleton,

Mitchell,

Morgan,

B. F. Perry,

Pickens,

Pitts,

Seigling,

Springs,

Sullivan,

Torre,

Tradewell,

Trenholm,

Trotti,

Tucker,

Vance,

Williams, and

Witherspoon.

Mr. B. F. PERRY moved to lay the Resolution on the table, and the question being put, Will the House agree thereto? tellers were called for, and the House divided. Messrs. Perry and Leitner were appointed to count the House, who reported fifty in the affirmative and fifty-five in the negative. So the House refused to lay the Resolution on the table.

Mr. TORRE moved that a message be sent to the Senate asking leave to amend the Resolution by inserting after the word "at," the words "or before."

Mr. THORNWELL moved to lay Mr. Torre's motion on the table; which was agreed to.

Mr. BOYLSTON moved that a message be sent to the Senate asking leave to amend the Resolution by striking out "Wednesday the 15th, at 9," and inserting "Thursday the 16th, at 8;" which motion was ordered to *lie on the Table*.

Mr. HUNT moved a call of the House, which was decided in the negative.

Yeas, 42—Nays, 66.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

Messrs. Anderson,

Bates,

Blakeney,

Boylston,

Bradley,

Brown,

Broyles,

Burt,

Byrd,

J. B. Campbell,

R. E. Campbell,

Cash,

Charles,

Clawson,

Cruikshank,

Elliott,

Ellis,

Fox,

Garlington,

Messrs. Green,

Hearst,

Hudgens,

Hunt,

Hutson,

Leitner,

McCrary,

McGowan,

McKnight,

Maybin,

Melton,

Middleton,

B. F. Perry,

Seigling,

Sloan,

Springs,

Sullivan,

Torre,

Tradewell,

Messrs. Trenholm,  
Trotti,

Messrs. Wallace, and  
Williams.

Those who voted in the negative are,

The Honorable JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Bailey,

Beaty,

Blum,

Boykin,

Carwile,

Cauthen,

Christie,

Cooner,

Crosson,

Cureton,

Dean,

Duncan,

Durant,

Ervin,

Flagg,

Gadberry,

Gadsden,

Gourdin,

Hammond,

Hampton,

Harrison,

Hope,

Howell,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Jordan,

King,

Lanneau,

Laurens,

Lawton,

Messrs. Lesene,

McBee,

Manigault,

Mitchell,

Mobley,

Morgan,

Mullins,

Munro,

Murray,

Owens,

Patterson,

J. B. Perry,

Pickens,

Pitts,

Poppenheim,

Read,

Reynolds,

Rice,

Rosborough,

Seabrook,

Sinkler,

Steele,

Stokes,

Thomson,

Thornwell,

Tillinghast,

Tucker,

Vance,

Wagner,

Weatherly,

Wescoat, and

Witherspoon.

Mr. MITCHELL moved that the House do now adjourn ; which was decided in the negative.

Ayes, 50—Nays, 58.

The yeas and nays were requested, and as follows :

Those who voted in the affirmative are :

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,	Messrs. Lanneau,
Blakeney,	Leitner,
Boylston,	McBee,
Bradley,	McCrary,
Burt,	McGowan,
Ryrd,	McKnight,
J. B. Campbell,	Maybin,
R. E. Campbell,	Melton,
Cash,	Middleton,
Charles,	Mitchell,
Clawson,	Morgan,
Cruikshank,	B. F. Perry,
Cureton,	Pickens,
Elliott,	Siegling,
Ervin,	Sloan,
Fox,	Steele,
Garlington,	Sullivan,
Gourdin,	Torre,
Green,	Tradewell,
Hampton,	Trenholm,
Hearst,	Trotti,
Hope,	Tucker,
Howell,	Wallace and
Hunt,	Williams,
Hutson,	

Those who voted in the negative are :

Messrs. Allen.	Messrs. Blum,
Anderson,	Boykin,
Bailey,	Brown,
Bates,	Broyles,
Beaty,	Carwile,

<b>Messrs. Cauthen,</b>	<b>Messrs. Munro,</b>
Christie,	Murray,
Cooner,	Owens,
Crosson,	Patterson,
Dean,	J. B. Perry,
Duncan,	Pitts,
Durant,	Poppenheim,
Ellis,	Porcher,
Flagg,	Read,
Gadberry,	Reynolds,
Gadsden,	Rice,
Hammond,	Rosborough,
Harrison,	Seabrook,
B. J. Johnson,	Sinkler,
W. R. Johnson,	Springs,
A. R. Johnston,	Stokes,
Jordan,	Thomson,
King,	Thornwell,
Laurens,	Tillinghast,
Lawton,	Vance,
Lesesne,	Wagner,
Manigault,	Weatherly,
Mobley,	Wescoat, and
Mullins,	Witherspoon,

Mr. MELTON moved to adjourn the debate, and to make it the Special Order of the day for Tuesday next, at half-past 12 o'clock, P.M.

Mr. THORNWELL moved to lay the motion on the table, which passed in the affirmative.

Yeas, 63—Nays, 46.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are :

<b>Messrs. Alexander,</b>	<b>Messrs. Blakeney,</b>
Allen,	Blum,
Anderson,	Boykin,
Bailey,	Byrd,
Bates,	Carwile,
Beaty,	Cauthen,

Messrs. Christie,	Messrs. Morgan,
Clawson,	Mullins,
Cooner,	Munro,
Crosson,	Murray,
Dantzler,	Owens,
Dean,	Patterson,
Duncan,	J. B. Perry,
Durant,	Pitts,
Ervin,	Poppenheim,
Flagg,	Porcher,
Gadberry,	Read,
Gadsden,	Reynolds,
Garlington,	Rice,
Hammond,	Rosborough,
Hampton,	Seabrook,
Harrison,	Sinkler,
B. J. Johnson,	Springs,
W. R. Johnson,	Stokes,
A. R. Johnston,	Thomson,
Jordan,	Thornwell,
King,	Tillinghast,
Laurens,	Vance,
Lawton,	Wagner,
Leesne,	Weatherly and
Manigault,	Wescoat.
Mobley,	

Those who voted in the negative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. Boylston,	Messrs. Elliott,
Bradley,	Ellis,
Brown,	Fox,
Broyles,	Gourdin,
Burt,	Green,
R. E. Campbell,	Hearst,
Cash,	Hope,
Charles,	Howell,
Cruikshank,	Hudgens,
Cureton,	Hunt,

Messrs. Hutson,  
 Lanneau,  
 Leitner,  
 McBee,  
 McCrady,  
 McGowan,  
 McKnight,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 B. F. Perry,  
 Pickens,

Messrs. Seigling,  
 Sloan,  
 Steele,  
 Sullivan,  
 Torre,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Wallace,  
 Williams, and  
 Witherspoon.

Mr. GREEN moved to make the Resolution the Special Order of the day for Wednesday next, at 1 o'clock, P. M.; which was decided in the negative.

Yeas, 47—Nays, 57.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Anderson,  
 Blakeney,  
 Boyleston,  
 Bradley,  
 Brown,  
 Broyles,  
 Burt,  
 R. E. Campbell,  
 Charles,  
 Clawson,  
 Cruikshank,  
 Cureton,  
 Dantzler,  
 Elliott,  
 Fox,  
 Gadberry,  
 Gourdin,  
 Green,

Messrs. Hurst,  
 Hope,  
 Howell,  
 Hudgins,  
 Hunt,  
 Hutson,  
 Lanneau,  
 Leitner,  
 McCrady,  
 McGowan,  
 McKnight,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 Morgan,  
 Patterson,  
 B. F. Perry,

Messrs. Pickens,  
Sloan,  
Steele,  
Sullivan,  
Torre,

Messrs. Tradewell,  
Trenholm,  
Trotti,  
Tucker, and  
Williams.

Those who voted in the negative, are

Messrs. Alexander,  
Allen,  
Bailey,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Byrd,  
Carwile,  
Cauthen,  
Christie,  
Cooner,  
Crosson,  
Dean,  
Duncan,  
Durant,  
Ellis,  
Ervin,  
Flagg,  
Gadsden,  
Hammond,  
Hampton,  
Harrison,  
B. J. Johnson,  
W. R. Johnson,  
A. R. Johnson,  
Jordan,  
King,  
Laurens,

Messrs. Lawton,  
McBee,  
Mobley,  
Mullins,  
Munro,  
Murray,  
Owens,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Rice,  
Rosborough,  
Seabrook,  
Sinkler,  
Springs,  
Stokes,  
Thomson,  
Thornwell,  
Tillinghast,  
Vance,  
Wagner,  
Wallace,  
Weatherly,  
Wescoat, and  
Witherspoon.

The question was then put, "Will the House concur in the resolution from the Senate?" which passed in the affirmative.

Yeas 58—Nays 48.



Those who voted in the affirmative, are

Messrs. Alexander,

Allen,

Bailey,

Bates,

Beaty,

Blum,

Boykin,

Byrd,

Carwile,

Cauthen,

Christie,

Clawson,

Cooner,

Crosson,

Dantzler,

Dean,

Duncan,

Durant,

Ellis,

Flagg,

Gadsden,

Hammond,

Hampton,

Harrison,

Howell,

B. J. Johnson,

W. R. Johnson,

A. R. Johnson,

Jordan,

Messrs. King,

Laurens,

Lawton,

McBee,

Mobley,

Morgan,

Mullins,

Munro,

Murray,

Owens,

Patterson,

J. B. Perry,

Poppenheim,

Porcher,

Read,

Reynolds,

Rice,

Rosborough,

Seabrook,

Sinkler,

Steele,

Stokes,

Thomson,

Thornwell,

Tillinghast,

Vance,

Wagner,

Weatherly, and

Wescoat.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Anderson,

Blakeney,

Boylston,

Bradley,

Brown,

Broyles,

Messrs. Burt,

R. E. Campbell,

Cash,

Charles,

Cruikshank,

Cureton,

Messrs. Elliott,

Fox,

Gadberry,

Garlington,

Gourdin,

Green,

Hearst,

Hope,

Hudgens,

Hunt,

Hutson,

Lanneau,

Leitner,

McCready,

McGowan,

McKnight,

Maybin.

Melton,

Messrs. Middleton,

Mitchell

B. F. Perry,

Pickens,

Pitta,

Siegling,

Sloan.

Springs,

Sullivan,

Torre,

Tradewell,

Trenholm,

Trotti,

Tucker,

Wallace,

Williams, and

Witherspoon.

The House considered and agreed to the Report of the Special Committee on a resolution of inquiry, respecting Common School Education, and on the petition of the Teachers' Association of Union, praying an alteration in the Free School System, asking to be discharged from the further consideration thereof.

Mr. McGOWAN from the Committee of the whole House, to whom had been referred Resolutions declaratory of the principles on which charters to private Banks should be granted, and Resolutions on the principles of banking and suggesting provisions to be inserted in Bank Charters hereafter to be granted, made a Report, asking to be discharged from the further consideration thereof; which was agreed to.

On motion of Mr. OWENS the House was adjourned at 26 minutes after 5 o'clock, P. M.

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MONDAY, DECEMBER 6, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The Senate returned, with their concurrence, the report of the Committee on Education, on Message No. 4 of the Governor, inviting the Legislature to attend the Commencement of the South Carolina College.

On motion of Mr. SLOAN, the House then joined the procession in front of the Capitol, and attended the exercises of the Commencement of the South Carolina College.

The SPEAKER having resumed the Chair, laid before the House the report of the Comptroller General, with the contingent accounts against the Upper Division of the Treasury; which, with the accounts, was referred to the Committee on Accounts.

The Senate sent to this House the following Bills, which were read the first time:

A Bill to renew the Charter of the Commercial Bank of Columbia, South Carolina, was referred to the Committee of Ways and Means;

A Bill to alter the sittings of the Courts of Law on the Northern Circuit, was referred to the Committee on the Judiciary;

A Bill to incorporate a Bank in the town of Chester, was referred to the Committee of Ways and Means.

The Senate also sent to this House,

A Bill to arrange the State into Districts, for the election of Representative in the Congress of the United States, and for other purposes; which was read the first time, and made the special order of the day for Tuesday next, at 2 o'clock, P. M.

The SPEAKER laid before the House a communication from F. J. Moses, Chairman of a Committee appointed by the Trustees of the South Carolina College, to make arrangements for the laying of the Corner Stone of the new Chapel, inviting this House to be present at that ceremony on Thursday next; which, on motion of Mr. MIDDLETON, was ordered to *lie on the Table*.

The SPEAKER under the amendments of the 60th Rule of this House, called, in Alphabetical order, the several Judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners and such like papers, when

Mr. McGOWAN presented the annual report of the Trustees of the Estate of Dr. John DeLa Howe, for November, 1852; which was referred to the Committee on Education.

Mr. MITCHELL presented the petition of Charles Edmonston and other citizens of Charleston, praying an amendment of the law to prevent

the harboring of deserted seamen ; which was referred to the Committee on the Judiciary.

Mr. B. F. PERRY presented the report of the Commissioner of Public Works ; which was referred to the Committee on Internal Improvements.

Mr. SULLIVAN presented the report of the Treasurer of the South Carolina College ; which was referred to the Committee on Education.

The SPEAKER, under the amendments to the 60th Rule of this House, in the alphabetical order of Judicial Districts, called for resolutions, bills and motions, commencing with Abbeville.

Mr. McGOWAN gave notice that he will, to-morrow, move to suspend the operation of the 74th Rule of this House.

On motion of Mr. VANCE, leave of absence was granted to Mr. CHARLES for two days.

Mr. HUTSON submitted the following Resolutions, which were ordered to be considered immediately and were agreed to :

*Resolved*, That the Committee on the Military be instructed to inquire and report to this House

1. If the Board of Visitors of the State Military Academies are required by the Act constituting them, to report to the General Assembly a detailed account of their actings and doings, and of the mode in which they expend the money appropriated by law, and received from pay cadets ; and if so, whether the Act has been complied with, and, if such is not the law, whether it should not be amended.

2. If the said Board have recently removed any member or members of the Faculty of the said Institution, or procured their resignation under an express or implied threat of dismissal, and if the said Board has power so to do without charges made, or defence heard ; and if so, whether such extra ordinary power accords with the spirit of our institutions.

3. If the said Board should not be appointed by the General Assembly and have a fixed term of office ; and that the Committee have power to send for persons and papers and have leave to report by bill or otherwise.

Pursuant to notice and by leave of the House, Mr. HUNT moved to amend the 63d Rule of this House in the following particulars : That the business before the House shall be classified for the remainder of the session, so that the general orders of the day be taken up in the following order :

1. All Bills reported on to this House by any standing or Special Committees, and ready for a second reading.

2. That for the remainder of this session, morning and evening sessions shall be had from 10 A. M. to 4 P. M., and from 6 to 10 in the evening, unless otherwise directed by the House.

3. The evening sessions shall be devoted to disposing reports.

Mr. HOPE submitted the following resolutions, which were ordered for consideration to-morrow, and were ordered to be printed :

*Resolved*, That it is inexpedient and impolitic in view of the present financial condition of the State, for this Legislature to pass an Act to make further loans of money on the credit of the State to any corporation for such purpose, unless the Act is first submitted to the people and sanctioned by them.

*Resolved*, That it is the sense of this Legislature that no Charter for Banks should be granted for a less amount than \$250,000 and not more than \$1,000,000; that two-thirds of the stockholders should live in the State; that no Bank should speculate or deal in Real Estate, or in stocks of other corporations and associations, or in merchandize, and chattels; nor should they be concerned in insurances, manufacturing, exportation or importation, except of bullion or specie. But it shall be competent for them to have and hold real estate, or chattels, necessary for their use in the transaction of business, or which may be pledged for further security, or received towards or in satisfaction of debts previously contracted or purchased at legal sales to satisfy existing debts.

On motion of Mr. KEITT,

*Resolved*, That the use of this Hall be granted to Professor Reynolds on Thursday evening next, for the delivery of his inaugural lecture.

Pursuant to notice, Mr. TRADEWELL moved that the amendments to the 60th Rule of this House be rescinded, and, the question being put, tellers were called for and the House divided. Messrs. Ashmore and Hearst were appointed to count the House, who reported 56 in the affirmative and 32 in the negative.

So the House refused to rescind the amendments—two-thirds of the members present not agreeing thereto.

Pursuant to notice and by leave of the House, Mr. TRADEWELL introduced A Bill to exempt apothecaries from liability to perform military duty; which was read the first time and referred to the Committee on the Military.

Mr. TRADEWELL submitted the following resolution :

*Resolved*, That a message be sent to the Senate proposing to that House

to go into an election for a Law Judge to fill the vacancy occasioned by the election of Hon. Josiah J. Evans to, and the acceptance by him of, the office of United States Senator, to-morrow at 1 o'clock, P. M.

On motion of Mr. ASHMORE, the resolution was amended by striking out "1," and inserting " $\frac{1}{2}$  past 12," and thus amended the resolution was agreed to and a message was sent accordingly.

The House reconsidered the vote taken on agreeing to Mr. Tradewell's motion to rescind the amendment to the 60th Rule of this House.

Mr. MITCHELL moved to amend the motion to read as follows: "that the amendments to the 60th Rule of this House be suspended for the remainder of the Session. The motion as amended was then agreed to.

At 31 minutes after 4 o'clock, P. M., on motion of Mr. MIDDLETON, business was suspended until 6 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the Chair,

Mr. MIDDLETON, from the Committee of Ways and Means, to whom was referred the petition of J. D. Allen, made a report; which was ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom was referred A Bill to define the principles on which Joint Stock Banks shall be incorporated, made a report; which was ordered for consideration to-morrow; and reported A Bill to define the principles on which Joint Stock Banks shall be incorporated; which was read the first time and ordered to be read a second time to-morrow.

Mr. MIDDLETON, from the same Committee to whom was referred the Joint memorial of the Directors of the Blue Ridge Company and of a Committee appointed by a Convention held at Anderson on 1st July last, reported

A Bill to authorize a subscription and loan on the part of the State to the Blue Ridge Rail Road Company in South Carolina, and

A Bill to incorporate the Blue Ridge Rail Road Company in South Carolina; which were severally read the first time and ordered to be read the second time to-morrow.

Mr. SULLIVAN, from the same Committee, to whom was referred so much of the Governor's Message, No. 1, as relates to the Bank of the State of South Carolina, reported A Bill to extend the charter of the Bank of the State of South Carolina; which was read the first time and ordered to be read a second time to-morrow.

Mr. TORRE, from the same Committee, to whom had been referred the memorial of citizens of Sumter for the charter of a new bank in Sumterville, made a report; which was ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made reports on the petition of the City Council of Augusta, praying for the re-charter of a bridge over the Savannah River;

The petition of J. C. Coit and others, praying for the right to construct a free bridge over the Pee Dee River;

The petition of sundry citizens of Sumter, praying the reopening of a road across Lynch's Creek; and on

The petition of sundry citizens of Edgefield District, praying the opening of a new road; which were ordered for consideration to-morrow.

Mr. THOMPSON, from the Committee on the Lunatic Asylum, to whom had been referred the Report of the Regent, with the Reports of the Physician and Superintendent and so much of the Governor's Message as relates to the Lunatic Asylum, made a report; which was ordered for consideration to-morrow, and was ordered to be printed.

Mr. ASHMORE, from the Committee on Claims, made reports

On the report of the Senate's Committee on Claims, on the account of Isaac Vansant for blankets furnished the Jail of Lexington District,

On the account of James Powell.

Mr. ASHMORE, from the Committee on Claims, to whom had been re-committed the report of the same committee on the petition of F. N. Garvin, made a report; which was ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, to whom had been referred a Resolution to inquire into the propriety of purchasing the Bust of the late J. C. Calhoun, by Powers, made a report; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

Mr. McCRADY, from the Committee on Incorporations, to whom had been referred

A Bill to alter and amend an Act, entitled "An Act to incorporate the North Eastern Rail Road, and

A Bill from the Senate to incorporate the Columbia Gas-Light Company, made reports; which were ordered for consideration to-morrow.

Mr. McCRADY, from the same Committee, to whom were referred the petitions of sundry citizens of Spantanburg, and of sundry citizens of Frog Level and others, praying amendments to their several charters, reported A Bill to amend the charters of certain Towns, and Villages hereto-

fore incorporated; which was read the first time and ordered to be read the second time to-morrow.

Mr. McCRADY, from the same committee to whom had been referred sundry petitions, praying for the incorporation of certain religious and charitable societies, and societies for the advancement of Education, reported A Bill "to incorporate certain religious and charitable societies and societies for the advancement of Education, and to renew the charters of others heretofore granted;" which was read the first time, and ordered to be read the second time to-morrow.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred A Bill to renew the charter of the Planter's and Mechanic's Bank of South Carolina, made a report, which was ordered for consideration to-morrow, and reported A Bill to re-charter the Planter's and Mechanic's Bank of South Carolina; which was read the first time, and was ordered to be read a second time to-morrow.

Mr. MIDDLETON, from the same Committee, to whom had been referred A Bill to renew the charter of the Commercial Bank of Columbia, South Carolina, made a report, which was ordered for consideration to-morrow, and reported A Bill to re-charter the Commercial Bank of Columbia, South Carolina; which was read the first time, and ordered to be read the second time to-morrow.

Mr. MIDDLETON, from the same Committee, to whom were referred a Bill to renew the charter of the Union Bank of South Carolina, made a report, which was ordered for consideration to-morrow, and reported a Bill to recharter the Union Bank of South Carolina, which was read the first time, and ordered to be read the second time to-morrow.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the petition of William Farmer, for arrears of pension due to Thomas Farmer, deceased; which was ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the following message from the Senate was taken up:

IN THE SENATE, Dec. 3, 1852.

*Mr. Speaker and Gentlemen*

*Of the House of Representatives:*

Senate insists upon asking leave of your House to amend the Report of the Committee on Claims of your House, on the account of the Charleston Courier, for public printing, by allowing the following charges, which were rejected by the Committee of your House, viz.: For adver-



tising presentments of Grand Jury for Charleston District, of \$5.85, and for advertising Court of Appeal, Order of Dockets, of \$3.90, amounting together to \$9.75; and by striking out "twenty-five 18-100 dollars," and inserting, in lieu thereof, "thirty-four 93-100 cents;" and has appointed Messrs. Dudley and Carew a Committee of Conference, and respectfully asks your House to appoint a similar Committee to meet the Committee of Senate on that subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President

The House insisted on refusing to grant leave to the Senate to make the amendment, and concurred with the Senate in the appointment of a Committee to join the Committee of the Senate to confer on that subject; whereupon the SPEAKER appointed Messrs. Ashmore and Dean a Committee on the part of this House, and an answer was returned accordingly.

The House then proceeded to the consideration of the

#### GENERAL ORDERS.

The following reports were ordered to *lie on the Table*:

Reports of the Committee on Roads, Bridges and Ferries;

On the petition of Emanuel Witsell;

On the petition of Moses West;

On the petition of sundry citizens of St. Helena and Prince Williams, respecting Port Royal Ferry;

On the presentment of the Grand Jury of Richland, relating to the road law;

On the petition of sundry citizens of Darlington, for establishing a road called Field's Bridge Road.

Mr. ERVIN obtained leave to withdraw the petition of sundry citizens of Darlington, for establishing a road called Field's Bridge Road.

The following Reports were agreed to:

Reports of the Committee on Roads, Bridges and Ferries;

On the presentment of the Grand Jury of Newberry, respecting tavern licenses;

On the petition of the Board of Commissioners of St. Bartholomews, and of sundry citizens of St. Bartholomews and Prince Williams, for and against the establishment of a toll bridge at Salt Ketcher;

Reports of the Committee on Claims;

On the petition of Dr. Josiah B. Fishburne;

On the petition of Charles McIlwain;

On the petition of Norwood and De Lorme;

On the petition of John A. Gyles;

On the petition of Lewis R. Sams;

On the account of Drs. T. J. K. & T. A. Dargan.

Mr. TORRE obtained leave to withdraw the petition of John A. Gyles, and Mr. ERVIN, the account of Drs. T. J. K. & T. A. Dargan.

Mr. ERVIN also obtained leave to withdraw the petition of Norwood & Delome.

The following reports were considered and agreed to :

Report of the Committee on Internal Improvements on the presentment of the Grand Jury of Anderson on the policy of extending the Greenville & Columbia Rail Road through the Rabun Gap; and

Report of the Committee on Colored Population on the presentment of the Grand Jury of Union, respecting the guardianship of and collection of debts from, free colored persons.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims

On the account of Dr. W. J. David;

On the account of Dr. W. D. Wallace;

On the account of Dr. A. W. Kennedy;

On the account of Dr. N. Henry;

On the account of Dr. C. J. Flinn;

On the accounts of Charleston Mercury;

On the petition of Sarah Branch;

On the account of Dr. James H. Henry;

On the account of Dr. R. W. Gibbes, assignee of I. C. Morgan;

Reports of the Committee of Ways and Means on the report of the President of the Charlotte Rail Road Company;

Disbursement of the transient poor fund in Georgetown;

The abstract of the expenditures for city and transient poor of Charleston for the year 1852.

The following message was received from the Senate:

IN THE SENATE, December 6, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate concurs in the proposition of your body to go into an elec-

tion for a Law Judge, to fill the vacancy occasioned by the resignation of the Hon. J. J. Evans, to-morrow, at half-past 12 o'clock, P. M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

A Bill to vest the right, title and interest of the State in the personal estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald D. McDonald, was read the second time and ordered to be sent to the Senate.

A Bill to amend an Act entitled "An Act to provide for the inspection of flour," was called for a second reading, and on motion of Mr. LEITNER, was recommitted to the Committee on Internal Improvements.

The following Bills were read the second time and ordered to be sent to the Senate :

A Bill to prevent obstructions to the passage of fish up Lynch's Creek ;

A Bill to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets of the Town of Moultrieville, and to remove all obstructions in such streets ;

A Bill to incorporate the Village of Cokesbury ;

A Bill to relieve Plank Road Companies from the necessity of making returns unless specially called for by the Legislature ;

A Bill to authorize the formation of a new Volunteer Company within the limits of the 23rd Regiment of Infantry ; and

A Bill to exempt the surviving officers and members of the Palmetto Regiment from ordinary militia duty.

A Bill to charter the Lancaster Rail Road Company and for other purposes, was read a second time. On motion of Mr. McCRADY, the title of the Bill was amended by striking out the words "and for other purposes," and thus amended the Bill was ordered to be sent to the Senate.

The following Bill was read a second time and ordered to be sent to the Senate :

A Bill to allow William Langston to hawk and peddle in Union District without the payment of the tax now imposed by law.

A Bill to incorporate the Columbia Gas Light Company was called for a second reading, and, on motion of Mr. McCRADY, was ordered *to lie on the Table*.

On motion of Mr. McCRADY, the House reconsidered the vote ordering the report of the Committee on Incorporations on a Bill from the Senate, to incorporate the Columbia Ga Light Company to be considered

to-morrow. The same was ordered to be considered immediately, and the Bill was read the second time, and was ordered to be returned to the Senate.

A Bill to restore the law authorizing the appointment of Sutlers at muster grounds upon certain conditions, was called for a second reading, and progress having been made therein, Mr. THORNWELL moved to postpone the further consideration of the Bill until the 1st day of January next; which was decided in the negative.

Yeas 30—Nays 56.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are

|                 |                  |
|-----------------|------------------|
| Messrs. Bailey, | Messrs. Mullins, |
| Boykin,         | Murray,          |
| Boylston,       | Owens,           |
| Bradley,        | J. B. Perry,     |
| Broyles,        | Read,]           |
| Cauthen,        | Reynolds,        |
| Charles,        | Rosborough,      |
| Durant,         | Seabrook,        |
| Flagg,          | Thomson,         |
| Tillman Ingram, | Thornwell,       |
| B. J. Johnson,  | Tradewell,       |
| W. R. Johnson,  | Vance,           |
| Kershaw,        | Wallace,         |
| King,           | Wescoat, and     |
| Melton,         | Witherspoon.     |

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker,

|                    |                 |
|--------------------|-----------------|
| Messrs. Alexander, | Messrs. Burt,   |
| Allen,             | R. E. Campbell, |
| Anderson,          | Carwile,        |
| Bates,             | Christie,       |
| Beaty,             | Crosson,        |
| Blakeney,          | Clawson,        |
| Blum,              | Cruikshank,     |
| Brown,             | Dantzler,       |

|                 |                    |
|-----------------|--------------------|
| Messrs. Dean,   | Messrs. Manigault, |
| Duncan,         | Middleton,         |
| Elliott,        | Mitchell,          |
| Ellis,          | Mobley,            |
| Fox,            | Munro,             |
| Gadberry,       | Patterson,         |
| Garlington,     | B. F. Perry,       |
| Hammond,        | Pickens,           |
| Harrison,       | Pitts              |
| Hearst,         | Poppenheim,        |
| Hope,           | Porcher,           |
| Hudgens,        | Rice,              |
| Hutson,         | Sullivan,          |
| A. R. Johnston, | Tillinghast,       |
| Jordan,         | Trenholm,          |
| Lawton,         | Tucker,            |
| Leitner,        | Wagner,            |
| Lesesne,        | Walker, and        |
| McCrary,        | Williams:          |
| McGowan,        |                    |

The Bill was then read a second time and was ordered to be sent to the Senate.

Mr. ERVIN, who was absent when the vote was taken, was permitted to record the vote he would have given if present, and his name having been called for that purpose, he answered Aye.

The following reports were considered and agreed to :

The report of the Committee on Incorporations on the petition of the members of the Bedon's Baptist Church, and the counter petition of Richard B. Bedon ;

The report of the Committee on the Military, on the presentment of the Grand Jury of Colleton, presenting as a nuisance Militia Company Musters.

The General Orders were then suspended, and

Mr. McCRADY, from the Committee on Incorporations to whom had been referred sundry petitions praying incorporation, reported A Bill to incorporate certain societies, associations and companies, and for the re-charter of others ; which was read the first time, and ordered to be read the second time to-morrow.

The General Orders were then resumed.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence.

Report of the Committee on the Military, on a resolution of inquiry as to the expediency of modifying the duties and reducing the salary of the Adjutant and Inspector General, and of reducing the salary of the Quarter Master General.

Reports of the Committee on Claims,

On the account of Norwood & DeLorme,

On the account of W. H. Trimmier,

On the account of W. W. Purse, and

On the account of the Southern Rights Advocate.

A Bill to amend the law in cases of appeal, was called for a second reading, and progress having been made therein,

On motion of Mr. PATTERSON, the House was adjourned at 40 minutes past 9 o'clock, P. M.

## TUESDAY, DECEMBER 7, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following message was received from the Senate :

IN THE SENATE CHAMBER, December 6, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

The Senate concurs in the proposition of your House to nominate suitable persons as President and Directors of the Bank of the State of South Carolina, and has appointed Messrs. Moses, Carew, Gist, Brockman, Zimmerman, Griffin, and B. G. Allston, a Committee on the part of the Senate to meet the Committee of your House on this subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to establish and incorporate a Bank in the town of Newberry;

A Bill to renew the charter of the Planters' & Mechanics' Bank of South Carolina; and,

A Bill to renew the charter of the Union Bank of South Carolina; were referred to the Committee of Ways and Means;

A Bill to prevent obstructions to the passage of fish up Lynch's Creek was referred to the Committee on the Judiciary;

A Bill to alter and amend the sixth section of an Act, entitled "An Act to amend an Act, entitled 'An Act to authorize the formation of the Greenville and Columbia Rail Road Company,'" and "An Act to amend an Act to authorize the formation of the Greenville and Columbia Rail Road Company, and for other purposes;" was referred to the Committee on Incorporations;

A Bill to confer on Joseph Frank certain rights and privileges in relation to a piece of land by him purchased, and

A Bill to confer on Isaac Iseman certain rights and privileges in relation to a piece of land by him purchased; were referred to the Committee on the Judiciary.

The Senate returned to this House the following Bills :

A Bill in relation to the execution of slaves and free persons of color, and

A Bill to open and extend Pitt street in the town of Mount Pleasant.

*Resolved*, That they do pass; that the titles thereof be changed; that they be called Acts.

*Ordered*, That they be sent to the Senate.

The SPEAKER laid before the House the report of the Attorney General on the debt of Barnard E. Bee, due to the Ludlow School Fund; which was referred to the Committee on Education.

The SPEAKER also laid before the House the reports of the Attorney General and Solicitors on district officers and their offices; which were severally referred to the Committee on District Officers and Offices.

Mr. B. F. PERRY presented the petition of sundry citizens of Greenville in reference to a poll tax and free schools; which was referred to the Committee on Education.

Mr. MANIGAULT presented the memorial of the Commissioners of Public Buildings for Georgetown District, praying an appropriation for the repair of the Court House; which was referred to the Committee on Public Buildings.

Mr. A. R. JOHNSTON presented the petition of sundry citizens of Marion District, praying the establishment of a new election poll; which was referred to the Committee on Privileges and Elections.

Mr. BRADLEY presented the account of Dr. H. DuBose for medical services; which was referred to the Committee on Claims.

Mr. CARWILE presented the petition of the Edgefield Odd Fellows and Masonic Building Association, praying an Act of Incorporation; and

Mr. CROSSON presented the petition of sundry citizens of the town of Newberry, praying for the incorporation of the Newberry Cemetery Association; which were severally referred to the Committee on Incorporations.

Pursuant to notice given yesterday and on motion of Mr. McGOWAN, the 74th Rule of this House was suspended until Thursday next inclusive.

Mr. WITHERSPOON presented the petition of Dr. W. S. Burgess, praying compensation for *post mortem* examination;

Mr. HAMPTON presented the account of P. M. Johnson, and the account of administrator of the estate of A. S. Johnston, for printing the Law and Equity Reports;

Mr. ELLIOTT presented the accounts of Drs. J. P. Chazal, R. A. Kinlock, Peter Porcher, and J. F. Prioleau, for medical services; which were severally referred to the Committee on Claims.

Mr. LESESNE presented the petition of Robert Adger, executor of Christina B. S. Gulden, for a release of the interest of the State in certain lots in the city of Charleston, and

Mr. HEARST presented the petition of Fanny Burdishaw, praying that the right and title of the State to the personal estate of John Burdishaw, deceased, liable to escheat, may be vested in her; which were referred to the Committee on the Judiciary.

Mr. DUNCAN presented the petition of sundry citizens of Greenville, praying an increase of the free school fund, by levying a poll tax; which was referred to the Committee on Education.

Mr. J. B. PERRY presented the petition of the Upper Board of Commissioners of Roads, of St. Bartholomew's Parish, praying for the passage of an Act to unite the two boards of said Parish; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CAUTHEN presented the account of James Adams for articles furnished the Jail of Lancaster, and

Mr. BLAKENEY presented the account of Stephen Jackson, Sheriff of Chesterfield, for blankets furnished the Jail; which were severally referred to the Committee on Claims.

Mr. MITCHELL presented the petition of Annette Elliott, George Mason, and Margaret Jane James, praying that all the right of the State in certain lands, lato of John Mason, Joseph Mason and Margaret Elliott,



should be vested in Charles T. Levy ; which was referred to the Committee on the Judiciary.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom were referred

A Bill to establish and incorporate a Bank in the Town of Newberry;

A Bill to incorporate the Farmers' and Exchange Bank of Charleston; and,

A Bill to incorporate the Exchange Bank in the town of Columbia, made reports; which were ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, to whom were referred sundry petitions, reported a Bill to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads in certain particulars; which was read the first time, and ordered to be read the second time to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, to whom was referred the petition of the Town Council of Columbia, praying the use of the water from the Columbia Canal, reported A Bill to allow the Town Council of Columbia to use water from the Columbia Canal and for other purposes; which was read the first time, and ordered to be read the second time to-morrow.

Mr. LEITNER presented the report of the Commissioners of the Deaf and Dumb, on their expenditures; which was referred to the Committee on Education.

Mr. HOPE, from the Committee on Public Buildings, made a report on the petition of the Commissioners of Public Buildings for Edgefield District, praying an appropriation; which was ordered for consideration to-morrow.

Mr. THORNWELL, from the Committee on the Judiciary, to whom was referred a Bill from the Senate to vest in Thomas Bennett, his heirs and assigns, all the right, title and interest for the State of South Carolina, in two lots of land on Charleston Lines, made a report which was ordered for consideration to-morrow.

Mr. HUNT, from the Committee on the Judiciary, made reports on

A Bill to prevent the marital rights of the husband from attaching to the estates of married women;

A Bill from the Senate, to release to Catharine McDonald, all the right and interest of the State to certain property;

A Bill to define the obligations and duties of companies, owning or working lines of Magnetic Telegraph, within the limits of South Carolina;

A Bill to repeal an Act entitled "An Act to increase the amount of property exempt from levy and sale;"

A Bill to amend an Act entitled "An Act to increase the amount of property exempt from levy and sale;"

A Bill to provide for the revision and codification of the Statute Law of this State;

A Bill to permit Joseph B. Breare, an alien, to apply for admission to practice in the Courts of Law and Equity in this State;

A Bill to punish criminally public officers converting to their own use monies entrusted to their keeping;

A Bill for the establishment of a general system of registration of Births, Marriages and Deaths in the State of South Carolina;

A Bill to alter and amend the law in relation to the jurisdiction of Magistrates in certain cases;

A Bill from the Senate to repeal all Acts and parts of Acts authorizing Ordinaries to take possession of and administer Derelict Estates;

A Bill from the Senate to declare and amend the law in relation to words of limitation in deeds and wills;

A Bill from the Senate to punish assaults committed with concealed deadly weapons; and

On the report of the Senate's Committee on the Judiciary, on the memorial of the Clerk of the Court of Appeals at Columbia; which were severally ordered for consideration to-morrow.

Mr. TILLINGHAST, from the same Committee, made a report of a minority of the Committee on a Resolution from the Senate, to increase the compensation of the Clerk of the Court of Appeals at Columbia; which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports

On the account of Dr. J. Ford, Prioleau, and

On the account of James Thwing.

On motion of Mr. MITCHELL, the Committee on Federal Relations was discharged from the consideration of resolutions from the Senate, providing that the Governor apply the unexpended balance of the sum appropriated for publishing Mr. Calhoun's works, to the publication of his life and speeches, and for additional distribution of the 1st volume of Mr. Calhoun's works to members of the Legislature, and said resolutions were referred to the Committee on the Legislative Library.

On motion of Mr. MITCHELL, the Committee was also discharged from so much of the Governor's Message No. 1, as relates to the expen-

ditures of the State Convention, and the same was referred to the Committee of Ways and Means.

Mr. MAYBIN presented the account of A. Palmer against the State; which was referred to the Committee on Claims.

The House then proceeded to the consideration of the

### GENERAL ORDERS,

And resumed the debate on a Bill to amend the law in cases of appeal, and after some time spent in the discussion thereof,

The Senate attended and joined the House in the first ballot for Law Judge.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. B. J. JOHNSON in the Chair, and proceeded to the consideration of sundry bills, prescribing the manner in which Electors for President and Vice President shall be elected; submitted by Messrs. Poppenheim, Keitt, Tillinghast, Kershaw, and McCrady; which had been made the special order of the day for this day, at 1 o'clock, P. M., in Committee of the Whole House, and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

Mr. McKNIGHT, from the Committee appointed to count the votes cast on the first ballot for a Law Judge, reported that no candidate had received a majority, and that, consequently, there was no election.

The following message was received from the Senate, was concurred in, and an answer was returned.

IN THE SENATE CHAMBER, December 7, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

The Senate proposes to your House, to go forthwith into a second ballot for a Law Judge.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

The House then, on motion of Mr. MULLINS, proceeded to the consideration of a Bill to arrange the State into Districts, for the election of Representatives in the Congress of the United States, and for other purposes; which had been made the Special Order of the day, for this day, at 2 o'clock, P. M.; and after some time spent in the discussion thereof,

The Senate attended and joined the House in a second ballot for a Law Judge.

The House then resumed the consideration of the Special Order.

The first section of the Bill was read.

Mr. TUCKER moved to amend the section, by striking out the words, "Newberry, Laurens," from the clause making the Fourth District, and inserting "Anderson, Pickens," and by striking out the words "Anderson, Pickens," from the clause making the Fifth District, and inserting Newberry, Laurens."

The SPEAKER divided the question, when

Mr. CROSSON moved that so much of the amendment as proposes to strike out the words, "Newberry, Laurens," from the clause making the Fourth District, and insert "Anderson, Pickens," be laid *on the Table*; and on the question being put, it passed in the affirmative.

Yeas, 62—Nays, 39.

The Yeas and Nays were requested, and are as follows.

Those who voted in the affirmative are,

| Messrs. | Allen,          | Messrs. | Garlington,     |
|---------|-----------------|---------|-----------------|
|         | Anderson,       |         | Gourdin,        |
|         | Ashmore,        |         | Green,          |
|         | Bailey,         |         | Hammond,        |
|         | Blakeney,       |         | Harrison,       |
|         | Blum,           |         | Hearst,         |
|         | Boykin,         |         | Hope,           |
|         | R. E. Campbell, |         | Hudgins,        |
|         | Carwile,        |         | Hutson,         |
|         | Cash,           |         | B. J. Johnson,  |
|         | Christie,       |         | W. R. Johnson,  |
|         | Crosson,        |         | A. R. Johnston, |
|         | Cruikshank,     |         | Jordan,         |
|         | Duncan,         |         | King,           |
|         | Durant,         |         | Laneau,         |
|         | Elliott,        |         | Laurens,        |
|         | Ellis,          |         | Lawton,         |
|         | Flagg,          |         | McBee,          |
|         | Fox,            |         | McGowen,        |
|         | Gadsden,        |         | Mullins,        |

Messrs. Munro,  
Owens,  
Patterson,  
B. F. Perry,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Seabrook,  
Seigling,  
Sinkler,

Messrs. Sullivan,  
Thomson,  
Thornwell,  
Tillinghast,  
Tradewell,  
Trotti,  
Vance,  
Walker,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative are :

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Bates,  
Beaty,  
Boylston,  
Brown,  
Broyles,  
Cauthen,  
Clarke,  
Clawson,  
Cureton,  
Dantzler,  
Dean,  
Gadberry,  
Hampton,  
Howell,  
Tillman Ingram,  
Kershaw,  
Leitner,  
Lesesne,

Messrs. McCrady,  
McKnight,  
Manigault,  
Melton,  
Moorer,  
Murray,  
Pickens,  
Read,  
Reynolds,  
Rice,  
Rosborough,  
Shedd,  
Sloan,  
Springs,  
Steele,  
Trenholm,  
Tucker,  
Wallace, and  
Williams.

At 4 o'clock, P. M., business was suspended until 6 o'clock, P. M.

#### RECESS.

When the SPEAKER took the Chair, and the House resumed the debate on the special order.

On motion of Mr. McGOWAN, the special order was suspended until 10 minutes after 6 o'clock, P. M.

On motion of Mr. McGOWAN, leave of absence was granted to Mr. Haskell for the remainder of the session, on account of important business.

The following message was received from the Senate, in which the House concurred, and an answer was returned :

IN THE SENATE, December 7, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

The Senate proposes to your House to go into a third ballot for a Law Judge at half-past 12 o'clock, P. M., to-morrow.

By order of the Senate

ROBT. F. W. ALLSTON, President.

The House resumed the consideration of the special order, and a Bill to arrange the State into Districts for the election of Representatives in the Congress of the United States, and for other purposes, having been read the second time,

Mr. GADBERRY moved to recommit the Bill, with the following instructions :—to provide ballots for each plan submitted to that Committee, numbering not more than six, and that each ballot shall contain one plan, and be carefully rolled up and placed in a hat or box, from which three ballots shall be drawn by a lad, selected for that purpose, and the three ballots so drawn shall again be placed in the hat or box, from which one ballot shall be drawn as before mentioned, which said last drawn ballot shall contain the plan for re-districting the State.

Mr. GREEN moved that Mr. Gadberry's motion *lie on the Table*, which passed in the affirmative.

Yeas, 78—Nays, 17.

The yeas and nays were requested and are as follows.

Those who voted in the affirmative are :

Messrs. Allen,

Anderson,

Ashmore,

Bailey,

Blakeney,

Blum,

Boylston,

Bradley,

Brown,

R. E. Campbell,

Carwile,

Messrs. Cash,

Cauthen,

Christie,

Clawson,

Crosson,

Cruikshank,

Dantzier,

Duncan,

Durant,

Elliott,

Ellis,

**Messrs. Flagg,**

Fox,  
Garlington,  
Gourdin,  
Oreen,  
Hammond,  
Harrison,  
Hearst,  
Hope,  
Hudgens,  
Hutson,  
B. J. Johnson,  
W. R. Johnson,  
A. R. Johnston,  
Jordan,  
Keitt,  
Kershaw,  
King,  
Lanneau,  
Laurens,  
Lawton,  
Lesesne,  
McBee,  
McCrary,  
McGowan,  
McKnight,  
Manigault,  
Middleton,

**Messrs. Mitchell,**

Mobley,  
Moorer,  
Morgan,  
Munro,  
Murray,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Read,  
Reynolds,  
Seabrook,  
Seigling,  
Shedd,  
Sinkler,  
Stokes,  
Sullivan,  
Thomson,  
Thornwell,  
Tillinghast,  
Tradewell,  
Trenholm,  
Vance,  
Wagner,  
Walker,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative are :

Hon. JAMES SIMONS, Speaker, and

**Messrs. Bates,**

Beaty,  
Burt,  
Clarke,  
Cooner,  
Dean,  
Gadberry,  
Howell,

**Messrs. Leitner,**

Pickens,  
Roshorough,  
Springs,  
Steele,  
Tucker,  
Wallace, and  
Williams.

The Bill was then ordered to be sent to the Senate.

Mr. MIDDLETON, from the committee appointed to count the votes cast on the second ballot for a Law Judge, reported that no candidate had received a majority, and that, consequently, there was no election.

Mr. B. J. JOHNSON, from the Committee of the Whole House, to whom were referred

A Bill, shewing the manner in which Electors for President and Vice President of the United States shall hereafter be elected in South Carolina,

A Bill to alter and amend the Tenth Section of the First Article of the Constitution of South Carolina,

A Bill to alter and amend the Thirteenth Section of the Second Article of the Constitution, so as to make it obligatory on the Governor to convene the General Assembly on the day designated by Congress for the election of Electors of President and Vice President of the United States,

A Bill to provide for the future election of Electors of President and Vice President of the United States; and,

A Bill to provide for the appointment of Electors of President and Vice President of the United States by this State; reported that, they had had the same under consideration; had made progress therein, and asked leave to sit again on the last Wednesday in November next, at 1 o'clock, P. M.

On motion of Mr. B. J. JOHNSON leave was granted to the Committee to sit again on the last Wednesday in November next, at 1 o'clock, P. M.

Mr. BOYLSTON gave notice that he would ask leave, to-morrow, to introduce A Bill to exempt the survivors of the South Carolina Volunteers in the Florida War from ordinary militia duty.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The report of a minority of the Committee on the Judiciary, on the petition of sundry citizens of York, praying the Repeal of the Act commonly called the Homestead Law, was ordered for consideration; and,

On motion of Mr. READ was ordered to *lie on the Table*.

The House considered and agreed to the Report of the Committee on Colored Population, on so much of the Governor's Message as relates to the imprisonment of Colored Seamen and ordered it to be sent to the Senate for concurrence.

The General Orders were then suspended, and on motion of Mr. McCRADY, the Committee on Incorporations was discharged from the



consideration of A Bill to alter and amend the sixth section of An Act, entitled "An Act to amend An Act, entitled 'An Act to authorize the formation of the Greenville and Columbia Rail Road Company,'" and An Act, entitled "An Act to amend an Act to authorize the formation of the Greenville and Columbia Rail Road Company, and for other purposes;" and the same was referred to the Committee of Ways and Means.

The following Reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims :

On the account of the Palmetto State Banner.

On the account of Johnston and Cavis.

On the account of W. F. Durisoc.

On the account of B. C Pressly.

On the account of William Blackledge.

On the account of W. J. Francis.

On the account of Dr. J. H. Thomson.

On the petition of Benjamin Perry.

On the petition of J. R. Poole.

On the account of Bryan & McCarter.

On the account of Thomas J. Warren.

On the account of Thomas J. Eccles.

On the account of Gilbert & Fraser.

On the petition of Jesse C. Dent.

On the account of Dr. A. Malloy.

On the account of James Powell,

On the petition of F. N. Garvin.

Reports of the Committee on Pensions,

On the petition of William Farmer.

On the petition of Matthew Abbott.

On the petition of Nancy Bailey.

On the petition of James D. Mansfield.

On the petition of George W. Dorn.

Reports of the Committee of Ways and Means,

On the petition of J. D. Allen ; and

On the memorial of the City Council of Charleston, for an increase in the appropriation for the Transient Poor.

Reports of the Committee on Public Buildings,

On the presentment of the Grand Jury of Abbeville, recommending the building of a new Jail.

On the petition of the Commissioners of Public Buildings of Chester, praying an appropriation to pay for a lot.

On the petition of the Commissioners of Public Buildings for Richland, praying leave to remove the Jail, and to sell a portion of the Jail lot.

On the presentment of the Grand Jury of Orangeburg, praying an appropriation to enlarge the Court House; and

On the memorial of the Commissioners of Public Buildings of Anderson, praying an appropriation to discharge a debt incurred in the improvement of the Court House.

The report of the Committee on the Judiciary,

On the petition of Michael Lorick; and

The report of the Medical Committee,

On the account of Dr. A. B. Crook.

The report of the Committee on Incorporations,

On the petition of inhabitants of Adams' Run, praying an Act of incorporation, recommending that the prayer of the petition be not granted, was called for consideration; and on motion of Mr. HUTSON, the report was ordered to *lie on the Table*.

Mr. HUTSON submitted the following resolution; which was ordered to be considered immediately, and was agreed to.

*Resolved*, That the prayer of the citizens of Adams' Run for incorporation be granted; and that the Committee on Incorporations have leave to move, by way of amendment to the Bill, to amend the charters of certain towns and villages.

The following reports were considered and agreed to:

Reports of the Committee on Claims,

On the petition of Gabriel South;

On the account of L. M. Grist;

On the account of A. McCants; and,

On the account of Dr. H. Thorn.

Reports of the Committee on Roads, Bridges and Ferries,

On the petition of citizens of Anderson for the continuance of a road;

On the petition of citizens of Sumter, praying the re-opening of a road across Lynch's Creek;

On the petition of the City Council of Augusta praying the re-charter of the bridge over the Savannah River; and

On the petition of J. C. Coit and others, praying the right of constructing a free bridge over the Pee Dee River.

Reports of the Committee on Grievances,

On so much of the presentment of the Grand Jury of Georgetown as relates to the use of decoys and nets for ducks and fish ; and

On the petition of citizens of Union respecting the delay in the delivery of goods by Rail Road Companies.

Reports of the Committee on Education,

On the petition of Mrs. E. F. Ellet ; and

On the presentments of the Grand Juries of Lancaster, Sumter, Abbeville, Kershaw, Newberry, Beaufort, and Charleston, respecting the free school system.

Report of the Committee on Colored Population presenting the practice of negroes conducting religious worship at other places than on their owners' plantations.

Reports of the Committee on Internal Improvements on the petition of citizens of Williamsburg, in relation to the killing of deer ; and

On the petition of citizens of Orange and St. George's, praying that Cattle's Creek may be declared a public highway

Report of the Committee on Pensions, on the petition of Eveline Dill ; and

The report of the Committee on Incorporations on a petition to incorporate Bethlehem Church Camp Ground, in Edgefield District.

Mr. HUDGENS obtained leave to withdraw the petition of Gabriel South ; and

Mr. ALLEN obtained leave to withdraw the petition to incorporate the Bethlehem Church Camp Ground.

On motion of Mr. BOYKIN, the report of the Committee on the Legislative Library on so much of the Governor's Message No. 2, as relates to a new map of the State, was ordered to *lie on the Table*, and the report of the Committee of the Senate on the Library, on the memorial of George E. Walker and John Johnson, was concurred in and ordered to be returned to the Senate.

The following reports were considered and agreed to :

Reports of the Committee on Claims,

On the account of Dr. J. O. Hagood ;

On the petition of B. E. Sessions ; and

On the petition of E. P. Lake.

Reports of the Committee on Incorporations,

On the petition of citizens of Lancaster, praying the incorporation of Providence Baptist Church, and Flat Creek Church ; and

On a petition to incorporate the town of Walhalla.

Reports of the Committee on Roads, Bridges and Ferries,  
On the petition of citizens of Clarendon praying for a new road ;  
On the petition of the Commissioners of Roads of St. James Santee,  
praying an alteration in the road law ;  
On the petition of citizens of Edgefield praying the opening of a new  
road.

Reports of the Committee on Grievances,  
On the presentment of the Grand Jury of Colleton, respecting the  
power of Commissioners to assess taxes ; and  
On the presentment of the Grand Jury of Abbeville, presenting racing  
on Public Roads.

Reports of the Committee of Ways and Means  
On the petition of J. E. McDonald and T. F. Sullivan, and  
On the petition of J. T. Coleman.  
Report of the Committee on Public Buildings,  
On the presentment of the Grand Jury of Williamsburg, recommend-  
ing an enlargement of the Court House.

Report of the Committee on the Military  
On the petition of the Edgefield Flying Artillery.  
Report of the Committee on District Officers and Offices,  
On the petition of citizens of Pickens, praying for an additional Magis-  
trate, and

The report of the Committee on Agriculture  
On the petition of the Greenwood Agricultural Society.  
Mr. CROSSON obtained leave to withdraw the petition of E. P. Lake.  
The report of the Committee on Claims on the account of Dr. J. C.  
Lanier, was recommended to the same Committee.

The report of the Committee on Incorporations upon the petitions of  
the Town Council of Cheraw—of citizens of Laurens Village—Axe Com-  
pany of Charleston Neck, and of William Reynolds and others, praying  
for incorporations and recommending that the prayer of said petitions be  
rejected, was called for consideration.

On motion of Mr. SEIGLING, so much of the report as refers to the  
Axe Company of Charleston Neck, was ordered *to lie on the Table*, and  
the remainder of the report was agreed to,

Mr. SEIGLING submitted the following resolution, which was or-  
dered to be considered immediately and was agreed to,

*Resolved*, That the prayer of the Axe Company of Charleston Neck for  
a change of name, be granted, and that the Committee on Incorporations

have leave to add for that purpose an amendment to the Bill, entitled "A Bill to incorporate certain Societies, Associations and Companies."

The following reports were ordered *to lie on the Table*.

Report of the Committee on the Judiciary

On the petition of J. J. Gibson

Reports of the Committee on Public Buildings

On the presentments of the Grand Juries of Charleston District, respecting repairs to the present Jail, and recommending the construction of a new one, and

On the petition of the Commissioners of Public Buildings for Pickens District, praying an appropriation to erect a portico and steps to the Court House.

Report of the Committee on Roads, Bridges and Ferries, on the petition of the Delegation of Beaufort District, praying aid in the construction of bridges and causeways over Coosawhatchie swamp and Cypress creek.

Report of the minority of the Committee on the Military, on a Bill to diminish the duties and reduce the salary of Adjutant and Inspector General.

Report of the Committee on Internal Improvements on the memorial of William Lawton and others; and on the report of the Senate's Committee on the memorial of the officers and directors of the South Carolina Institute.

Report of the Committee on Vacant Offices, on the resignation of the Hon. Josiah J. Evans.

Reports of the Committee on the Judiciary,

On the reports of the Clerks of the Senate and House on the Saxe Gotha Bill; and,

On the memorial of the Clerk of the Court of Appeals at Columbia; and,

The report of the Committee of Ways and Means, on the memorial of citizens of Sumter, for the charter of a Bank in Sumterville.

The House concurred in and ordered to be returned to the Senate the following reports:

Reports of the Committee on Claims,

On the account of Harrison & Norris; and,

On the account of W. W. Purse.

The House considered and agreed to the report of the Charleston Delegation on the petition of sundry citizens, praying that Little Coming's Creek be closed up; and also the counter petition thereto, recommending

that said Delegation report to this House at the next session of the General Assembly.

The House considered and agreed to the report of the Committee on the Military, on the petition of the commissioned officers of the Washington Light Infantry, praying a renewal of their charter, and the same was ordered to be sent to the Senate for their concurrence.

The House concurred in the following Resolutions from the Senate, and ordered them to be returned :

Resolution providing for sending certain books from the Legislative Library to the Mercantile Library Association of Charleston ; and,

A Resolution in relation to claims for public printing.

The following reports from the Senate were considered and agreed to and were ordered to be returned :

Report of the Committee on the Military and Pensions,

On the petition of Robert Hopton ; and,

Reports of the Committee on Claims and Grievances,

On the account of the proprietors of Charleston Mercury ;

On the accounts of the proprietors of the South Carolinian ; and,

On the account of Isaac Vansant,

The House considered and agreed to the report of the Committee on the Lunatic Asylum, on the reports of the Regent, the Physician, and the Superintendent ; and on so much of the Governor's Message as relates to the Asylum.

On motion of Mr. MUNRO, the House was adjourned at 9 o'clock,  
P. M.

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### WEDNESDAY, DECEMBER 8, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and, a quorum being present, the Journal of yesterday's proceedings was read.

On motion of Mr. WAGNER, leave of absence was granted to Mr. Burnet, for the remainder of the session, on account of illness in his family.

The SPEAKER laid before the House the private Annual Report of the President of the Bank of the State of South Carolina ; which was

referred to the Committee appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina.

The SPEAKER also laid before the House the account of T. W. Glover, Clerk of the House of Representatives, for stationary and postage; which was referred to the Committee on Claims.

The Senate returned to this House, with their concurrence,

The Reports of the Committee on Claims;

On the account of Dr. W. E. Miller;

On the account of Dr. David M. Lafitte;

On the claim of Dr. William L. Pickett;

On the account of Dr. T. W. Thompson;

On the petition of Dr. J. N. Lawrence;

On the account of Dr. N. H. Johnson, and

On the petition of Dr. S. B. Graham.

The Senate sent to this House, for concurrence, the report of the Committee on Claims and Grievances on the account of the proprietors of the Winyaw Observer, for public printing; which was referred to the Committee on Claims.

The Senate sent to this House,

A Bill to incorporate the Columbia Gas Light Company; which was read the third time.

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called an Act: ordered, that it be returned to the Senate.

The Senate sent to this House the following Bills; which were read the first time:

A Bill to establish a Bank in the town of Sumterville; was referred to the Committee of Ways and Means;

A Bill to incorporate the Blue Ridge Rail Road Company in South Carolina;

A Bill to incorporate a charitable association by the title of the Church Home; and

A Bill to incorporate the Columbia Building and Loan Association; were referred to the Committee on Incorporations.

The Senate returned to this House A Bill to alter the Constitution of this State, so as to divide Pendleton into two Election Districts.

On motion of Mr. B. F. PERRY, the said Bill, and A Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, were made the Special Order of the day for this day, at 1 o'clock, P. M.

Mr. W. R. JOHNSON presented the petition of the Commissioners of Public Buildings for Marion District, praying an additional appropriation; which was referred to the Committee on Public Buildings.

Mr. J. B. CAMPBELL presented the petition of Thomas Lehre, Thomas N. Gadsden, and others, for a Charter of a Bank, to be called the People's Bank of South Carolina; which was referred to the Committee of Ways and Means.

Mr. GADBERRY presented the account of John Gibbs, Sheriff, for furnishing blankets to the Jail of Union District; which was referred to the Committee on Claims. Also, the report of John Gibbs, Ex-commissioner of Public Works for the year 1852; which was referred to the Committee on Internal Improvements.

Mr. KEITT presented the Return of the Secretary and Treasurer of the Board of the Commissioners of Free Schools for Orange Parish; which was referred to the Committee on Education.

Mr. POPPENHEIM presented the petition of George H. Walter and W. G. DeSaussure, Captain and Lieutenant of the Washington Artillery, praying that a debt due by the said Company to the Citadel Academy may be remitted; which was referred to the Committee on the Military.

Mr. TRADEWELL presented the report of the Comptroller General to whom was referred the accounts of James V. Adams, witness in contested elections from Richland District; and,

Mr. TROTTI presented the Claims of Dr. J. H. Pooser for a *post mortem* examination; which were severally referred to the Committee on Claims.

Mr. KERSHAW presented the account of Polk Robinson for keeping cannon; which was referred to the Committee on the Military.

Mr. SULLIVAN, from the Committee on Education, made reports On the memorial of sundry citizens of Walterboro', praying the appointment of Trustees for the Walterboro' Academy,

On the petition of certain citizens of Greenville, in reference to a poll tax and free schools, and praying an increase of the free school fund by laying a poll tax, and

On the petition of Samuel A. Townes, asking a subscription on the part of the State to the publication of the lives and characters of eminent South Carolinians; which were severally ordered for consideration tomorrow.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the petition of Jephtha Dyson;



On the petition of J. D. Aiken, Attorney of Robert Martin;

On A Bill to establish and incorporate a Bank in the Town of Chester, and,

On A Bill to aid in the construction of a plank road from Camden to some point or points on the North Carolina line in the direction of Concord, Munroe, and Charlotte in that State; which were severally ordered for consideration to-morrow.

Mr. HOPE, from the Committee on Public Buildings, made a report upon the presentment of the Grand Jury and the petition of the Commissioners of Public Buildings, for Newberry District, for an appropriation for a new Jail; which was ordered for consideration to-morrow.

Mr. SLOAN from the Committee on Privileges and Elections, to whom had been referred A Bill from the Senate to arrange this State into Districts, for the election of Representatives in the Congress of the United States and for other purposes, made a report; which was ordered for consideration to-morrow.

Mr. SLOAN, from the same Committee, to whom had been referred the communication of Mr. John C. Allen, a member of this House, respecting his eligibility to his seat, made a report; which was ordered for consideration to-morrow, and was ordered to be printed, together with the communication of Mr. Allen.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the report of the Senate's Committee on the Military and Pensions, on the petition of Delilah Williams; which was ordered for consideration to-morrow.

Mr BOYKIN, from the Committee on the Legislative Library, made reports on the Senate's Resolution for the additional distribution of the first volume of Mr. Calhoun's works to the members of the Legislature; and

On the Senate's Resolution, providing that the Governor apply the unexpended balance of the sum appropriated for the publishing of Mr. Calhoun's works, to the publication of his life and speeches; which were ordered for consideration to-morrow.

Mr. McGOWAN, from the Committee on the Military, made a report,

On A Bill to exempt Apothecaries from liability to perform military duty;

Mr. J. I. INGRAM, from the Medical Committee, made reports,

On the report of the Senate's Committee on the Lunatic Asylum and Medical accounts, on the account of Dr. J. M. Carr;

On the account of Dr. J. R. McQueen ; and

On the report of the Senate's Committee on the Asylum and Medical accounts, on the account of Dr. George Pelzer ; which were ordered for consideration to-morrow.

Mr. DANTZLER obtained leave to withdraw the memorial of sundry citizens of St. Mathew's Parish, praying the re-construction of the Vance's Ferry Road across Santee Swamp.

Pursuant to notice and by leave of the House, Mr. HUNT introduced A Bill to define the power of Judges in punishing contempt of Court ; which was read the first time, and referred to the Committee on the Judiciary.

Mr. ASHMORE, from the Committee on Claims, made reports on

The account of Dr. W. S. Burgess ;

The account of Stephen Jackson ;

The account of A. Palmer ;

The account of James Adams ;

The accounts of P. M. Johnson ;

The account of Dr. H. DuBose ;

The account of Dr. J. Ford Priolean ;

The account of Dr. Peter Porcher ;

The account of Dr. R. A. Kinloch ;

The account of the Administrator of A. S. Johnston ; and

The account of Dr. J. P. Chazal ; which were severally ordered for consideration to-morrow.

Mr. B. F. PERRY submitted the following Resolution, which was ordered for consideration to-morrow.

*Resolved*, That His Excellency the Governor, be and is hereby instructed to subscribe on the part of the State for a sufficient number of copies of the " Lives and Sketches of eminent South Carolinians," a work proposed to be published by Samuel A. Townes, Esq., as will secure the publication of the same.

Mr. WILLIAMS submitted the following Resolution ; which was ordered for consideration to-morrow :

*Resolved*, That William C. Beatty be appointed a Commissioner to represent the stock of the State in the King's Mountain Rail Road Company.

Mr. B. F. PERRY submitted the following Resolutions :

*Resolved*, That the members of this House will attend the laying of the Corner Stone of the new Chapel of the College, on Friday morning next

at half-past nine o'clock, and that a message be sent to the Senate, requesting that body to unite with the House in their attendance.

*Resolved*, further, That the use of this Hall be allowed to President Thornwell, for the purpose of delivering his address in it, on the occasion referred to in the above resolution.

On motion of Mr. B. J. JOHNSON the first resolution was amended by striking out the words "half past;" and the resolutions thus amended were agreed to, and a message was sent accordingly.

Pursuant to notice, and by leave of the House,

Mr. BOYLSTON introduced a Bill to exempt the survivors of the South Carolina Volunteers in the Florida War, from Ordinary Militia duty; which was read the first time, and referred to the Committee on the Military.

The following Message was received from the Senate.

IN THE SENATE, December, 8, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate refuses to grant leave to your House to amend the report of the Senate, upon the accounts of the Charleston Mercury, by striking out the charge of nine dollars for printing the presentment of the Grand Jury, under order of Court.

The Senate grants leave to your House, further to amend the report of the Senate on the same subject, by striking out "the sum of twenty-nine dollars and twenty cents to be paid for printing proposals for the printing of the Senate and House of Representatives, done under the direction of the Clerk of the Senate," and recommending instead of that sum, the payment of twenty dollars.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House insisted on asking leave of the Senate to make the amendment proposed.

On motion of Mr. ASHMORE, a committee was ordered to be appointed, to confer with a similar committee on the part of the Senate, on the matters of difference between the two Houses, and a message was sent accordingly; whereupon, the SPEAKER appointed Messrs. Ashmore, Dean and Harrison, of the committee.

The Senate then attended and joined the House in the third ballot for a Law Judge.

Mr. McCRADY, from the Committee on Incorporations, to whom

were referred the petition of sundry citizens of the town of Newberry, praying for the incorporation of the Newberry Cemetery Association, and the petition of the Edgefield Odd Fellows & Masonic Building Association, made a report; which was ordered for consideration to-morrow.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to amend the law in cases of appeal, was read the second time, and after debate thereon,

On motion of Mr. THOMSON, the further consideration of the Bill was indefinitely postponed.

The House then proceeded to the consideration of the

### SPECIAL ORDERS.

A Bill to alter the Constitution of this State, so as to divide Pendleton into two Election Districts, was read the third time, and on the question being put, will the House agree thereto? It passed in the affirmative, two-thirds of the whole Representation in this House agreeing thereto.

Yeas, 86—Nays, 22.

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bates,

Beaty,

Blakeney,

Blum,

Boykin,

Boylston,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Messrs. Carwile,

Cash,

Cauthen,

Christie,

Clarke,

Clawson,

Cooner,

Crosson,

Cruikshank,

Cureton,

Dantzler,

Dean,

Duncan,

Durant,

Ervin,

Fox,

**Messrs.** Gadberry,  
 Garlington,  
 Gourdin,  
 Green,  
 Hammond,  
 Hampton,  
 Harrison,  
 Hearst,  
 Hope,  
 Hudgens,  
 Hunt,  
 J. I. Ingram,  
 Tillman Ingram,  
 W. R. Johnson,  
 Jordan,  
 Kershaw,  
 Leitner,  
 Lesesne,  
 McKee,  
 McCrady,  
 McGowan,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 Mobley,  
 Mullins,

**Messrs.** Munro,  
 Owens,  
 Patterson,  
 B. F. Perry,  
 Pickens,  
 Pitts,  
 Poppenheim,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Shedd,  
 Sloan,  
 Steele,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Weatherly, and  
 Williams.

Those who voted in the negative are :

**Messrs.** Bailey,  
 Elliott,  
 Ellis,  
 Flagg,  
 Gadsden,  
 Hutson,  
 B. J. Johnson,  
 A. R. Johnston,  
 Keitt,  
 King,  
 Laurens,

**Messrs.** Lawton,  
 Manigault,  
 Moorer,  
 Murray,  
 J. B. Perry,  
 Read,  
 Seabrook,  
 Sinkler,  
 Stokes,  
 Tillinghast, and  
 Wescoat.

The Bill was then ordered to be sent to the Senate.

A Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend its boundaries to its present judicial limits, was read a third time, and the question being put, Will the House agree thereto? it passed in the affirmative, two-thirds of the whole representation in this branch of the General Assembly agreeing thereto.

Yeas, 109—Nays, 00.

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

| Messrs. Alexander, | Messrs. Dean,   |
|--------------------|-----------------|
| Allen,             | Duncan,         |
| Anderson,          | Durant,         |
| Ashmore,           | Elliott,        |
| Bailey,            | Ellis,          |
| Bates,             | Ervin,          |
| Beaty,             | Flagg,          |
| Blakeney,          | Fox,            |
| Blum,              | Gadberry,       |
| Boykin,            | Garlington,     |
| Boylston,          | Gourdin,        |
| Bradley,           | Green,          |
| Brown,             | Hammond,        |
| Broyles,           | Hampton,        |
| Burt,              | Harrison,       |
| J. B. Campbell,    | Hearst,         |
| R. E. Campbell,    | Hope,           |
| Carwile,           | Hudgens,        |
| Cash,              | Hunt,           |
| Cauthen,           | Hutson,         |
| Christie,          | J. I. Ingram,   |
| Clawson,           | Tillman Ingram, |
| Cooner,            | B. J. Johnson,  |
| Crosson,           | W. R. Johnson,  |
| Cruikshank,        | A. R. Johnston, |
| Cureton,           | Jordan,         |
| Dantzler,          | Keitt,          |

Messrs. Kershaw,  
 King,  
 Lanneau,  
 Laurens,  
 Lawton,  
 Leitner,  
 Lesesne,  
 McBee,  
 McCrady,  
 McGowan,  
 Manigault,  
 Maybin,  
 Melton,  
 Middleton,  
 Mitchell,  
 Mobley,  
 Moorer,  
 Morgan,  
 Mullins,  
 Munro,  
 Murray,  
 Owens,  
 Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Pickens,  
 Pitts,

Messrs. Poppenheim,  
 Read,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Shedd,  
 Sinkler,  
 Sloan,  
 Springs,  
 Steele,  
 Stokes,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Weatherly,  
 Wescoat,  
 Williams, and  
 Witherspoon.

The House then resumed the consideration of the

### GENERAL ORDERS.

A Bill to regulate the future issuing of grants of land, was read a second time, and the question being put, Shall the Bill be sent to the Senate? it was decided in the negative.

Yeas, 34—Nays, 72.

The yeas and nays were requested, and are as follows.

Those who voted in the affirmative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. J. B. Campbell,  
 Cruikshank,  
 Elliott,  
 Ellis,  
 Flagg,  
 Gadsden,  
 Garlington,  
 Hanimond,  
 Hampton,  
 Howell,  
 Hunt,  
 Hutson,  
 B. J. Johnson,  
 Keitt,  
 King,  
 Lanncau,  
 Laurens,

Messrs. McCrady,  
 McKnight,  
 Manigault,  
 Middleton,  
 Mitchell,  
 J. B. Perry,  
 Poppenheim,  
 Porcher,  
 Read,  
 Seabrook,  
 Seigling,  
 Sinkler,  
 Tradewell,  
 Trenholm,  
 Wagner, and  
 Wescoat.

Those who voted in the negative are,

Messrs. Alexander,  
 Allen,  
 Anderson,  
 Ashmore,  
 Bates,  
 Beaty,  
 Blakeney,  
 Boykin,  
 Boylston,  
 Brown,  
 Broyles,  
 R. E. Campbell,  
 Carwile,  
 Cash,  
 Cauthen,  
 Christic,  
 Clawson,  
 Cooner,  
 Crosson,  
 Careton,

Messrs. Dantzler,  
 Duncan,  
 Durant,  
 Ervin,  
 Fox,  
 Gadberry,  
 Green,  
 Harrison,  
 Hearst,  
 Hope,  
 Hudson,  
 J. I. Ingram,  
 TillmanIngram,  
 W. R. Johnson,  
 A. R. Johnston,  
 Jordan,  
 Kershaw,  
 Lawton,  
 Leitner,  
 McBee,



Messrs McGowan,  
Maybin,  
Melton,  
Mobley,  
Moorer,  
Morgan,  
Mullins,  
Munro,  
Murray,  
Owens,  
Patterson,  
B. F. Perry,  
Pickens,  
Pitts,  
Rice,  
Rosborough,

Messrs. Shedd,  
Sloan,  
Springs,  
Steele,  
Stokes,  
Sullivan,  
Thomson,  
Thornwell,  
Trotti,  
Tucker,  
Vance,  
Walker,  
Wallace,  
Weatherly,  
Williams, and  
Witherspoon.

Mr. MULLINS, from the Committee appointed to count the votes cast on the third ballot for a Law Judge, reported that T. W. Glover had received 99 votes, which is a majority; whereupon the SPEAKER announced that Thomas W. Glover, is duly elected a Law Judge of this State.

Mr. DUNCAN submitted the following resolutions,

*Resolved*, That it is a matter of great importance to the House, that Thowas W. Glover, who has just been elected a Law Judge of this State, should continue to discharge the duties of Clerk till the end of the present session of the Legislature.

*Resolved, further*, that Mr. Glover be, and he is hereby requested to continue to discharge the duties of Clerk of this House, till the adjournment of the present session of this Legislature.

Mr. MIDDLETON moved to amend the resolutions by striking out all after the word "Resolved," in the first resolution, and inserting the following:

1. *Resolved*, That this House, about to part forever with the Hon. T. W. Glover, cannot do so without expressing their sincere regret at ~~closing a connection~~ with their valued officer, which has endured so long and so advantageously to them and their constituents.

2. *Resolved*, That this House most heartily concur in tendering to their retiring officer their most earnest and cordial wishes for his future prosperity and success.

3. *Resolved*, That Mr. Glover be requested to retain his present office until a successor is appointed.

A Division of the question was called for, and the question being put, will the House amend by striking out and inserting the first and second resolutions : it passed in the affirmative.

On motion of Mr. J. B. CAMPBELL, the word "unanimously" was inserted after the word "*Resolved*," in the 1st and 2nd Resolutions.

On motion of Mr. B. F. PERRY, the debate was adjourned to 12 M. to-morrow.

The House then resumed the consideration of the

### GENERAL ORDERS.

A Bill to alter and amend the Charter of the City of Charleston, so as to make the election of Mayor and Aldermen biennial, and fixing the time for the first Wednesday in November ; was called for a second reading, and, on motion of Mr. McCRADY, was ordered to *lie on the Table*.

A Bill from the Senate to change the day for the election of, and, the term of office of, the Mayor and Aldermen of the City of Charleston ; was read the second time, and

The title of the Bill was changed, by adding the words, "and for other purposes," and thus amended the Bill was ordered to be sent to the Senate.

Mr. J. B. CAMPBELL gave notice, that at the third reading of the Bill, he would move to amend the Bill, by substituting May for November.

A Bill to amend the Charter of the City of Charleston, in relation to the qualification of voters at city elections, for Mayor and Aldermen, was called for a second reading ; and, on motion of Mr. McCRADY, was ordered to *lie on the Table*.

A Bill to alter and amend the law in relation to the Education of the Deaf and Dumb of this State ; and

A Bill to vest in William H. Trapp the exclusive right to navigate Little River ; were read the second time, and was ordered to be sent to the Senate.

Business was suspended at 4 o'clock, until 6 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the Chair,

A Bill from the Senate, to incorporate the Johnson Female University was read a second time, and was ordered to be returned to the Senate.

The report of the Minority of the Committee on the Judiciary, on a Resolution from the Senate to increase the compensation of the Clerk of the Court of Appeals, at Columbia, was ordered to *lie on the Table*.

A Resolution to adjourn the present session of the General Assembly on the 14th instant; and

Resolutions, declaring it impolitic for the State to make further loans on the credit of the State, and limiting the amount of capital of banks hereafter to be chartered, were severally ordered to *lie on the Table*.

The following Reports were considered, and agreed to, and were ordered to be sent to the Senate :

Report of the Committee on Public Buildings upon the petition of the Commissioners of Public Buildings of Edgefield District, praying an appropriation for a New Jail; and

The Report of the Committee on Claims on the account of J. Ford Prioleau.

The House considered and agreed to a Resolution, directing the Committee on Internal Improvements to inquire into the condition of the Rocky Mount Canal, and the expediency of selling the same.

The House also agreed to a Resolution, instructing the Committee on the State House and Grounds to inquire into the expediency and cost of lighting the State House and Grounds with gas.

A Resolution requesting the Returns of Commissioners of Free Schools to be made conformably to law, was considered and agreed to, and ordered to be sent to the Senate.

The House agreed to the following reports;

Report of the Committee on the Judiciary on the Senate's report on the memorial of the Clerk of the Court of Appeals at Columbia.

Report of the Committee on Claims, on the account of James Thwing.

On motion of Mr. LEITNER, the report of the Committee on Internal Improvements on the memorial of William Lawton and others, and on the report of the Senate's Committee on the memorial of the officers and Directors of the South Carolina Institute, was *taken up*, and the question being put, Will the House concur in the Senate's report? it passed in the affirmative.

Yeas, 50—Nays, 48.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

|                 |                  |
|-----------------|------------------|
| Messrs. Allen,  | Messrs. McCrady, |
| Ashmore,        | McGowan,         |
| Boylston,       | McKnight,        |
| J. B. Campbell, | Maybin,          |
| Cauthen,        | Middleton,       |
| Clarke,         | Mitchell,        |
| Cruikshank,     | Morgan,          |
| Duncan,         | Murray,          |
| Durant,         | B. F. Perry,     |
| Elliott,        | J. B. Perry,     |
| Flagg,          | Poppenheim,      |
| Gadsden,        | Porcher,         |
| Gourdin,        | Read,            |
| Hammond,        | Reynolds,        |
| Hampton,        | Seabrook,        |
| Harrison,       | Seigling,        |
| Hearst,         | Steele,          |
| J. I. Ingram,   | Stokes,          |
| Jordan,         | Trenholm,        |
| King,           | Tucker.          |
| Lanneau,        | Vance,           |
| Laurens,        | Wagner,          |
| Lawton,         | Wescoat, and     |
| Leitner,        | Witherspoon.     |
| Lesesne,        |                  |

Those who voted in the negative, are

|                 |                  |
|-----------------|------------------|
| Messrs. Bailey, | Messrs. Clawson, |
| Bates,          | Cooner,          |
| Beaty,          | Crosson,         |
| Blakeney,       | Cureton,         |
| Brown,          | Dantzler,        |
| Burt,           | Ellis,           |
| Byrd,           | Fox,             |
| R. E. Campbell, | Gadberry,        |
| Carwile,        | Hope,            |
| Cash,           | Hudgens,         |
| Christie,       | Hutson,          |

Messrs. Tillman Ingram,  
 B. J. Johnson,  
 W. R. Johnson,  
 A. R. Johnston,  
 McBee,  
 Manigault,  
 Melton,  
 Mobley,  
 Moorer,  
 Mullins,  
 Patterson,  
 Pitts,  
 Rice,

Messrs. Rosborough,  
 Shedd,  
 Sloan,  
 Springs,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tradewell,  
 Trotti,  
 Walker,  
 Wallace,  
 Weatherly. and  
 Williams.

On motion of Mr. HUTSON, the report of the Committee on Roads, Bridges and Ferries, on the petition of the delegation from Beaufort was *taken up*, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 41—Nays, 46.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Bailey,  
 J. B. Campbell,  
 Cruikshank,  
 Durant,  
 Elliott,  
 Ellis,  
 Gadsden,  
 Hampton,  
 Hutson,  
 J. I. Ingram,  
 W. R. Johnson,  
 A. R. Johnston,  
 Jordan,  
 King,  
 Lanneau,  
 Laurens,

Messrs. Lawton,  
 Lesesne,  
 McKnight,  
 Manigault,  
 Middleton,  
 Moorer,  
 Mullins,  
 Murray,  
 Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Porcher.  
 Read,  
 Reynolds,  
 Seabrook,  
 Seigling,

Messrs. Sloan,  
Stokes,  
Thornwell,  
Trenholm,

Messrs. Trotti,  
Walker,  
Weatherly, and  
Wescoat.

Those who voted in the negative are

Messrs. Alexander,  
Ashmore,  
Bates,  
Beaty,  
Blakeney,  
Brown,  
Burt,  
Byrd,  
R. E. Campbell,  
Cash,  
Christie,  
Clarke,  
Clawson,  
Cooner,  
Crosson,  
Cureton,  
Dantzler,  
Duncan,  
Fox,  
Gadberry,  
Gourdin,  
Hammond,  
Harrison,

Messrs. Hearst,  
Hope,  
Hudgins,  
Tillman Ingram,  
B. J. Johnson,  
McBee,  
McGowan,  
Maybin,  
Milton,  
Mobley,  
Morgan,  
Pitts,  
Poppenheim  
Rosborough,  
Shedd,  
Springs,  
Sullivan,  
Tradewell,  
Tucker,  
Vance,  
Wallace,  
Williams, and  
Witherspon.

The following messages were received from the Senate.

IN THE SENATE, Dec. 8, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate insists on refusing leave to your House to amend the report of the Committee on Claims and Grievances, of the Senate, on the account of the Charleston Mercury newspaper, by striking out nine dollars for printing the presentment of the Grand Jury under the order of the Court. Senate concurs in the proposal of your House, to refer the subjects of difference between the two Houses, to a committee of conference, and

have appointed Messrs. Dudley and Barker the committee on the part of the Senate on this subject.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

IN THE SENATE, December 8, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate accepts the invitation of your House to unite with your House, in attending the ceremony of laying the Corner Stone of the New Chapel of the South Carolina College, on Friday morning, at 9 A. M. and the address of President Thornwell in the Hall of the House of Representatives on the same day.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was also received from the Senate:

IN THE SENATE, Dec. 8, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Claims, of your House, on the account of Dr. J. H. Boatwright, by striking out "eighty-seven dollars" for the purpose of inserting "ninety-four dollars."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House granted leave to the Senate to make the amendment and an answer was returned.

On motion of Mr. SLOAN, the report of the Committee of Public Buildings on the petition of the Commissioners of Public Buildings of Pickens District, praying for an appropriation to erect a portico and steps to the Court House, was *taken up*, was agreed to, and was ordered to be sent to the Senate for concurrence.

The Senate sent to this House the following Bills, which were read the first time,

A Bill to authorize the State to afford aid to the Pendleton Rail Road Company, and,

A Bill to incorporate the Farmers' and Exchange Bank of Charleston, South Carolina ; were severally referred to the Committee of Ways and Means.

A Bill to alter and amend an Act, entitled " An Act to incorporate the

North Eastern Rail Road Company; was referred to the Committee on Incorporations.

The Senate returned to this House An Act to open and extend Pitt-st. in the town of Mount Pleasant, to Hibben-street; which was committed to the Committee on Engrossed Acts.

On motion of Mr. B. F. PERRY the House was adjourned at 12 minutes after 8 o'clock, P. M.



## THURSDAY, DECEMBER 9, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. OWENS presented the petition of Elizabeth Counts, praying that the estate of A. J. Counts, an illegitimate, may be vested in her; which was referred to the Committee on the Judiciary.

Mr. GARLINGTON presented the petition of the Commissioners of Roads of Newberry District, praying the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CAUTHEN presented the account of R. S. Bailey, for public printing; which was referred to the Committee on Claims.

Mr. LAURENS presented the return of the Commissioners of Free Schools for St. Thomas and St. Dennis, for 1852; which was referred to the Committee on Education.

Mr. J. B. PERRY presented the counter petition of Elizabeth P. Pinckney, praying that the road from Lloyd's Spring to Ashepoo road may not be opened; and,

Mr. STOKES, the petition of sundry citizens of St. Bartholomew's Parish, praying for leave to open a public road from Lloyd's Spring, on the Savannah road, to the Ashepoo road; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. MELTON presented the petition of Ellen Servis, praying compensation for property taken by the enemy in the Revolutionary war; which was referred to the Committee on Pensions.

Mr. HAMMOND presented the petition of Daniel Mahony, praying to



be paid for service rendered in the education of poor children ; which was referred to the Committee on Education.

Mr. CLAWSON presented the petition of sundry citizens of York District, praying for leave to sell their jail lot and jail, and to purchase with the proceeds of the sale a new site for a jail ; which was referred to the Committee on Public Buildings.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom was referred the report of the Comptroller General, reported

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and fifty-two ; and,

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and fifty-two ; which were severally read the first time, and were ordered to be read the second time to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, to whom had been referred,

A Bill from the Senate to prevent obstructions to the passage of fish up Lynch's creek ; and,

A Bill to amend an Act, entitled " An Act to provide for the inspection of Flour," made reports ; which were severally ordered for consideration to-morrow.

Mr. TILLINGHAST, from the Committee on the Judiciary, to whom had been referred a Bill from the Senate to confer certain rights on the Hebrew congregation in the city of Charleston, in relation to a piece of land by them held, made a report ; which was ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, made a report on the following Bills from the Senate :

A Bill to alter and amend an Act, entitled " An Act to incorporate the North Eastern Rail Road Company ;"

A Bill to incorporate the Blue Ridge Rail Road Company in South Carolina ;

A Bill to incorporate a Charitable Association by the title of the " Church Home ;" and,

A Bill to incorporate the Columbia Building and Loan Association.

Mr. MCGOWAN, from the Committee on the Military, to whom was referred,

A Bill to exempt the survivors of the South Carolina volunteers in the Florida war from ordinary militia duty, made a report ; which was ordered for consideration to-morrow.

Mr. BOYLSTON, from the Committee on the Judiciary, to whom was referred a Bill to alter the sittings of the Courts of Law on the Northern Circuit, made a report; which was ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports,

On the account of James U. Adams;

On the accounts of Thomas W. Glover, Clerk of the House of Representatives;

On the report of the Senate's Committee on Claims, on the account of the proprietors of the Winyaw Observer;

On the account of Dr. J. H. Pooser; and,

On the account of John Gibbs, Sheriff of Union.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the account of Dr. J. C. Lanier; and

Mr. CHRISTIE obtained leave to withdraw the same.

Mr. GARLINGTON presented the accounts of James Bonds, Jailor of Newberry, and of P. Kinard, Jailor of Newberry; which were referred to the Committee on Claims.

Mr. LESESNE, from the Committee on the Judiciary, to whom had been referred the petition of Robert Adger, Executor of C. B. S. Gulden, reported

A Bill to vest the right which the State may have in certain real estate in Robert Adger, Executor of Christina B. S. Gulden; which was read the first time, and ordered to be read the second time to-morrow.

Mr. CARWILE presented the petition of H. R. Spann, Jailor of Edgefield, praying to be paid his account against the State; which was referred to the Committee on Claims.

Mr. WAGNER, from the Committee on the State House and Grounds, to whom was referred a Resolution of inquiry into the expediency of lighting the State House and Grounds with Gas, made a report; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

Mr. HEARST, from the Abbeville delegation, to whom was referred the annual report of the Trustees of the estate of Dr. John De La Howe, for November, 1852, made a report; which was ordered for consideration to-morrow.

Mr. GOURDIN, from the Committee of Ways and Means, to whom was referred the petition of Thomas Lehre, Thomas N. Gadsden, and others, for the charter of a Bank, to be called the People's Bank of South Carolina, made a report; which was ordered for consideration to-morrow.

Mr. OWENS submitted the following Resolutions; which were ordered for consideration to-morrow :

*Resolved*, That the printer of the House be authorized to print two thousand copies of Evans' Digest of the Road Law, with the 16th section of the Road Act of 1851, as well as such Acts and sections of Acts in reference to the powers and duties of Commissioners of Roads as may be passed at this session of the Legislature, appended thereto; and that he be allowed for printing the same the sum of                      dollars.

*Resolved*, That the same be deposited with the Secretary of State, to be distributed as follows: two copies each to the members of the Senate and House of Representatives, five copies to the Legislative Library, two copies each to the Attorney General and Solicitors, and the remainder, if so many be necessary, to the Commissioners of Roads, to be distributed at the same time the Acts are distributed, by depositing with the Clerks of the Courts of each District a number sufficient to supply each Commissioner of such District with a copy; that the Clerks of the Courts respectively deliver to the Chairman of the respective Boards, a number sufficient to supply each member with a copy, which shall be turned over to his successor; and that in order to a correct distribution, the Secretary of State ascertain, by writing to the Clerks of the Courts of the different Judicial Districts, the number of Commissioners for each District.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The following Bills were read a second time, and were ordered to be sent to the Senate:

A Bill to declare a certain description of streams navigable, and for other purposes; and,

A Bill to alter and amend an Act, entitled "An Act to provide for the defence of the State;"

A Bill to punish trespasses on real property, was read the second time, and the question being put, Shall the Bill be sent to the Senate? it was decided in the negative.

On motion of Mr. McCRADY,

A Bill to incorporate the village of Bluffton, in St. Luke's Parish, South Carolina, was ordered to *lie on the Table*.

A Bill from the Senate to incorporate the town of Bluffton, was read the second time, and was ordered to be returned to the Senate.

Message No. 5 was received from His Excellency the Governor, trans-

mitting his contingent accounts, and announcing that his term of office was about to expire.

On motion of Mr. READ, it was ordered that a committee be appointed to examine the Governor's contingent accounts; and that a message be sent to the Senate, proposing the appointment of a similar committee to join the committee of this House, whereupon the SPEAKER appointed Messrs. Read, Hampton and Reynolds of the Committee, and a message was sent accordingly.

On motion of Mr. ASHMORE, a message was ordered to be sent to the Senate, proposing to go into an election for Governor, this day, at 1 o'clock, P. M.; and

On motion of Mr. MULLINS it was also ordered that a Message be sent to the Senate, proposing to go into an election for Lieutenant Governor immediately thereafter.

The House then proceeded to the consideration of Resolutions submitted yesterday by Mr. Middleton, respecting the withdrawal of Thomas W. Glover from the office of Clerk of the House, which had been made the special order of the day, for this day, at 12 o'clock, M.

On motion of Mr. BOYLSTON the special order was temporarily discharged.

The SPEAKER laid before the House the following communication :

*To the Honorable James Simons,*

*and the Members of the House of Representatives :*

GENTLEMEN,—I resign the office of Clerk of the House of Representatives. In the performance of its duties, your confidence has always sustained and encouraged me, and my labors have been made easy by your kindness. I accept the office of Law Judge, to which I have been elected by the General Assembly.

I have the honor to be, very respectfully,

Your obedient servant,

THOMAS W. GLOVER.

December 9, 1852.

On motion of Mr. ASHMORE,

*Resolved*, That the resignation of the Hon. T. W. Glover, as Clerk of this House, be accepted,—that Mr. C. H. Simonton be requested to act as Clerk, *pro tempore*, and that the House forthwith proceed to ballot for a Clerk of the House.

The House then resumed the consideration of the special order, and agreed to the 1st and 2d resolutions submitted yesterday, by Mr. Middle-

ton, respecting the withdrawal of Thomas W. Glover from the office of Clerk of the House.

The following message was received from the Senate, and on motion of Mr. ASHMORE, was ordered *to lie on the Table*.

IN THE SENATE, December 8, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives ;*

Senate proposes to your House to go into an election for Governor tomorrow at half-past twelve o'clock, P. M., and immediately after into an election for Lieutenant Governor.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House then proceeded to the first ballot for Clerk of the House of Representatives.

The following Messages were received from the Senate :

IN THE SENATE, December 9, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in the Message from your House, requesting Senate to appoint a similar committee to the committee appointed by your House, to examine the contingent accounts of the Governor, and has appointed Messrs. Carn and Gist a special committee for that purpose.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

IN THE SENATE, December 9, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives ;*

Senate concurs in the proposal of your House, to go into an election for Governor, to-day at 1 o'clock, and immediately thereafter into an election for Lieutenant Governor.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The House then resumed the consideration of the

### GENERAL ORDERS.

A Bill to amend an Act, entitled "An Act to incorporate the Commercial Insurance Company," was read the second time, and was ordered to be sent to the Senate.

The Senate then attended, and joined the House in a ballot for Governor.

Mr. MURRAY, from the Committee appointed to count the votes cast on the first ballot for Clerk of the House, reported that no candidate had received a majority, and that consequently there was no election.

The Senate then attended, and joined the House in a ballot for Lieutenant Governor.

Mr. PATTERSON, from the Committee appointed to count the votes cast for Governor, reported that John L. Manning had received 126 votes, and that 75 was a majority; whereupon, the SPEAKER announced that John L. Manning is elected Governor of South Carolina.

The House then proceeded to a second ballot for Clerk of the House.

On motion of Mr. KEITT, it was ordered that a Committee be appointed to wait on the Governor elect, and inform him of his election, and to inquire when he will be pleased to qualify: whereupon, the SPEAKER appointed Messrs. Keitt, Read and Wagner of the Committee.

The House then resumed the consideration of the

#### GENERAL ORDERS.

A Bill to incorporate the Beaufort Female Seminary, was read the second time, and was ordered to be sent to the Senate.

A Bill to incorporate the Beaufort and Columbia Loan and Building Associations, was read the second time, and was ordered to be sent to the Senate.

A Bill to incorporate the "German Artillery Company and Charitable Society of Charleston," on motion of Mr. McCRADY, was ordered *to lie on the Table*.

Mr. PICKENS, from the Committee appointed to count the votes cast for Lieutenant Governor, reported, that James H. Irby received 82 votes, and that 74 is a majority; whereupon,

The SPEAKER announced that James H. Irby is elected Lieutenant Governor of South Carolina.

A Bill to alter and amend an Act, entitled "An Act concerning the office and duties of Magistrates," was read the second time, and

On motion of Mr. ANDERSON, the Bill was ordered *to lie on the Table*.

A Bill to alter and amend an Act entitled, "An Act to authorize the State to aid in the construction of the Spartanburgh and Union Rail Road, was read the second time, and was ordered to be sent to the Senate.

A Bill to authorize the State to grant additional aid in the construction of the Spartanburgh and Union Rail Road, was ordered *to lie on the Table*.

Mr. PORCHER, from the Committee appointed to count the votes cast on the second ballot for Clerk, reported that no candidate had received a majority, and that consequently there is no election.

The House then proceeded to a third ballot for Clerk of the House.

On motion of Mr. TUCKER, it was ordered that a message be sent to the Senate that C. H. Simonton is discharging *pro tem.* the duties of Clerk.

Mr. KEITT, from the Committee appointed to wait on the Governor elect, reported that they had performed that duty, and that the Governor elect will be prepared to qualify on Monday next, at 1 o'clock, P. M.

On motion of Mr. KEITT, it was ordered that a Committee be appointed to make arrangements for the inauguration of the Governor: whereupon, the SPEAKER appointed Messrs. Keitt, Read, Wagner and Springs of the Committee.

A Bill to alter and amend the law in relation to the collection of debts from free persons of color, was called for a second reading, and was ordered *to lie on the Table*.

A Bill to secure Planters and Factors from frauds, under pretence of cash sales of produce, was read the second time, and was ordered to be sent to the Senate.

At five minutes past 4 o'clock, P. M., business was suspended until 8 o'clock, P. M.

### RECESS.

When the SPEAKER took the Chair,

Mr. LEWIS O'BRYAN, a member elect from St. Bartholomew's, appeared, produced his credentials, was sworn and took his seat.

Mr. STOKES presented the petition of the Lower Boards of Commissioners of Roads, in St. Bartholomew's Parish, praying that the two boards of the said Parish may not be united, and also the petition of E. S. P. Bellinger for himself and others, praying that a certain road in St. Bartholomew's Parish may not be made public, as prayed for by the Commissioners of Roads of said Parish; which were severally referred to the Committee on Roads, Bridges, and Ferries.

Mr. MELTON presented the petition of sundry citizens of Chester District, praying the incorporation of a Bank in the town of Newberry; which was referred to the Committee of Ways and Means.

The House resumed the consideration of the

## GENERAL ORDERS.

A Bill concerning derelict estates and the partition and sale of real estate by the Ordinary, was read the second time, and was ordered to be sent to the Senate.

Mr. RICE, from the committee to count the votes cast on the fourth ballot for Clerk, reported that no candidate had received a majority, and that, consequently, there was no election.

The House then proceeded to a fourth ballot for Clerk of the House.

Under the order of the House the SPEAKER adjourned the House at 10 o'clock, P. M.



## FRIDAY, DECEMBER 10, 1852.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The House then joined the procession and attended the ceremonies observed in the laying of the Corner Stone of the new Chapel.

The Senate sent to this House, with their concurrence, the following reports.

Reports of the Committee on Claims, on

The account of W. W. Purse.

The account of W. H. Trimmier.

The account of the Charleston Mercury.

The petition of Sarah Branch.

The account of R. W. Gibbes, assignee of I. C. Morgan.

The account of Dr. W. J. David.

The account of Dr. C. J. Flinn.

The account of Dr. N. Henry.

The account of Dr. John H. Henry, and

The account of Dr. W. D. Wallace.

Report of the Committee on the Legislative Library, on resolutions of inquiry into the propriety of purchasing the Bust of the late J. C. Calhoun, by Powers.

Report of the Committee on Claims,



On the account of the Southern Rights Advocate.

On the account of Dr. John J. Bossard.

On the account of Dr. B. T. Yarborough.

On the account of Dr. J. H. Boatwright.

Reports of the Committee of Ways and Means,

On the disbursement of the Transient Poor Fund in Georgetown.

On the Report of the President of the Charlotte Rail Road Company,  
and

On the abstract of expenditures for City and Transient Poor of Charleston, for the year 1852.

The following message was received from the Senate.

IN THE SENATE, Dec. 9, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House, to amend the report of the Committee on Claims of your House, on the account of S. J. Rice, for public printing, by adding the following proviso—Provided, that before the payment of the same, it shall be proved to the satisfaction of the Treasurer of the Upper Division, that the election notice charged for, was not also published in the Anderson Gazette, and made the subject of a claim against the State by the Editor of that paper; in which event, the sum of \$6 25 cents only, are to be paid on the account of the said S. J. Rice.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, the House refused to grant leave to the Senate to make the amendment, and an answer was returned.

The Senate sent to this House the following Bills; which were read the first time.

A Bill to revive and amend an Act, entitled "An Act to establish and incorporate a Bank in the town of Winnsborough," and

A Bill to establish and incorporate the Western Bank of South Carolina, to be located in the town of Anderson; were referred to the Committee of Ways and Means.

A Bill to incorporate the Fireman's Insurance Company of Charleston, and

A Bill to regulate the Agencies of Foreign Insurance Companies, and

A Bill to authorize the South Carolina Rail Road Company, to build a certain bridge over the Congaree river; were referred to the Committee on Incorporations.

A Bill to vest the right which the State may have in certain real estate, in Robert Adger, executor of C. B. S. Gulden, was referred to the Committee on the Judiciary.

The Senate sent to this House for concurrence, the following reports:

Report of the Committee on the Lunatic Asylum and Medical Accounts, on the report of the Regents, and on so much of the Governor's Message as relates to the Asylum; which was referred to the Committee on the Lunatic Asylum.

Report of the Committee on the Military and Pensions, on the petition of Oliver Fowler, praying that certain claims may be audited; which was referred to the Committee on the Military.

Report of the Committee on the College, Education and Religion, upon the report of the Vestry of the Parish Church of St. James, Goose Creek, upon the Ludlam School Fund—and also upon the report of the Attorney General upon the same subject; which was referred to the Committee on Education.

The Senate sent to this House, a Bill to incorporate Johnson Female University; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act:—Ordered that it be returned to the Senate.

The Senate returned to this House, a Bill to prevent obstructions to the passage of fish up Lynch's Creek; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act: Ordered that it be sent to the Senate.

Mr. SINKLER, from the Committee appointed to count the votes cast on the fourth ballot for Clerk, reported that no candidate had received a majority, and that, therefore, there was no election.

The House then proceeded to a fifth ballot for Clerk.

The Senate sent to the House, a Bill to authorize the formation of a new Volunteer Company within the limits of the 23d Regiment; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, and that it be called an Act:—Ordered that it be returned to the Senate.

Mr. STEELE, from the Committee appointed to count the votes cast on the fifth ballot for Clerk, reported that no candidate had received a majority, and that, consequently, there was no election.

The House then proceeded to the sixth ballot for Clerk.

The Senate returned to this House the following bills; which were read the third time:

A Bill to Incorporate the village of Cokesbury.

A Bill to exempt the surviving officers and members of the Palmetto Regiment from ordinary Military duty.

A Bill to charter the Lancaster Rail Road Company and for other purposes.

A Bill to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature.

A Bill to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets of the town of Moultrieville, and to remove all obstructions in such streets.

*Resolved*, That they do pass, that the titles thereof be changed, and that they be called Acts. Ordered that they be sent to the Senate.

Mr. THOMPSON, from the Committee appointed to count the votes, cast on the sixth ballot for Clerk, reported that no candidate had received a majority, and that consequently there was no election.

The House then proceeded to a seventh ballot for Clerk.

Mr. OWENS, from the Special Joint Committee appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina, reported for President, C. M. Furman; and for Directors, Elisha Carson, P. M. Cohen, J. L. Gantt, W. A. Wardlaw, E. W. Mathews, W. C. Dukes, R. G. Stowe, J. P. Deveau, G. H. Walter, H. F. Strohecker and Thomas Lehre.

On motion of Mr. OWENS, the Report was ordered to *lie on the table*, and be printed.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports,

On a Bill from the Senate to renew the charter of the Planters' and Mechanics' Bank of South Carolina.

On a Bill from the Senate to establish a Bank in the town of Sumpter-ville.

On a Bill from the Senate to Incorporate the Exchange Bank in the town of Columbia.

On a Bill from the Senate to Incorporate a Bank in the town of Chester.

On a Bill from the Senate to authorize the State to afford aid to the Pendleton Rail Road Company.

On a Bill from the Senate to Incorporate the Farmers' and Exchange Bank of Charleston, South Carolina.

On a Bill from the Senate to Incorporate a Bank in the town of Newberry.

On a Bill from the Senate to renew the charter of the Union Bank of South Carolina, and

On a Bill from the Senate to renew the charter of the Commercial Bank of Columbia, South Carolina; which were severally ordered for consideration to-morrow.

Mr. REYNOLDS, from the Charleston Delegation, to whom had been referred a Bill to establish the Line of the Channel of Ashley River, adjacent to the city of Charleston, made a report; which was ordered for consideration to-morrow.

Mr. PITTS, from the Committee on District Officers and Offices, to whom had been referred a Bill to amend the law in relation to Sheriffs, made a report; which was ordered for consideration to-morrow.

Mr. KERSHAW, from the same Committee, made reports

On a Bill to alter and amend an Act, entitled an Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices; and

A Bill to compel each district and parish in the State to pay the expenses of their respective contested elections for members of either branch of the Legislature, and also on the petition of citizens of Darlington, praying the appointment of an additional Magistrate; which were ordered for consideration to-morrow.

Mr. KERSHAW, from the same Committee, made a report on the reports of the Attorney General and Solicitors; which was ordered for consideration to-morrow.

Mr. LESESNE, from the Committee on the Judiciary, made a report on a Bill from the Senate to vest the right which the State may have in certain real estate in Robert Adger, executor of Christina B. S. Gulden; which was ordered for consideration to-morrow.

Mr. MITCHELL, from the same Committee, made a report on a Bill to amend an Act, entitled an Act to amend the law in relation to the harboring of deserted seamen; which was ordered for consideration to-morrow.

Mr. WAGNER, from the Committee on the State House and Grounds, made a report on the house of the Keeper of the State House; which was ordered for consideration to-morrow.

Mr. ALLEN presented the petition of citizens of Edgefield, praying for a division of said district into two judicial districts; which was referred to the Committee on the Judiciary.

Mr. TRADEWELL, from the Committee appointed to count the votes cast on the seventh ballot for Clerk, reported that no candidate had received a majority, and that, therefore, there was no election.

The House then proceeded to an eighth ballot for Clerk of the House.

Mr. B. F. PERRY submitted the following Resolutions; which were ordered to be considered immediately, and were agreed to.

*Resolved*, That President Thornwell be requested to furnish this General Assembly, for publication, a copy of his able and eloquent address at the laying of the corner stone of the New Chapel of the College.

*Resolved*, That a Committee of three, on the part of this House, be appointed to meet a similar Committee, on the part of the Senate, to procure the address, and superintend the publication and distribution of the same. Whereupon, the SPEAKER appointed Messrs. B. F. Perry, Mitchell and Sullivan, of the Committee, and a message was sent accordingly.

Mr. ASHMORE, from the Committee on Claims made reports

On the account of James Bonds.

On the account of S. D. Kinard.

On the account of R. S. Bayly, and

On the account of H. R. Spann; which were ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee of Conference, on the differences between the two houses respecting the accounts of the Charleston Mercury, reported and recommended that the House insist on asking leave of the Senate to make the amendments proposed.

Mr. ASHMORE, from the same Committee, to whom was referred the differences between the two houses respecting the Charleston Courier, reported and recommended that the House insist on refusing to grant leave to the Senate to make the amendments proposed for advertising the presentment of the Grand Jury, and recommend that the House grant leave to the Senate to amend the report by allowing \$3 90 for advertising Court of Appeals order of Docket.

Mr. TUCKER, from the Committee appointed to count the votes cast on the eight ballot for Clerk, reported that H. J. Dean received seventy-four votes, and that fifty-five is a majority, whereupon the SPEAKER announced that H. J. Dean is duly elected Clerk of the House of Representatives.

The SPEAKER announced the appointment of the following Committees of Inspection for the Bank of the State of South Carolina and its Branches.

At Charleston.—Messrs. John F. Poppenheim, James Sinkler, J. J. Ingram.

At Camden.—Messrs. Charles, Boykin and C. D. Melton.

At Columbia.—Messrs. Trotti, Garlington and Sloan.

Mr. TRADEWELL submitted the following resolution ; which was ordered to be considered immediately, and was agreed to.

*Resolved*, That Professor Reynolds be requested to furnish for publication a copy of his Inaugural Address, and that a committee of three be appointed to wait on Professor Reynolds, and present the request.

Whereupon the Speaker appointed Messrs. Tradewell, Boylston and Kershaw of the committee.

Mr. HUNT submitted the following resolution ; which was ordered for consideration to-morrow.

*Resolved*, That the Judges of the Courts of Law and Equity be authorized to direct such matters as they may deem necessary for public information, to be printed in such papers as they may deem best calculated to extend the information necessary, and the same shall be audited and paid for as other accounts against the State.

At 4 o'clock P. M., under the order of the House, business was suspended until 6 o'clock, P. M.

### RECESS.

When the SPEAKER took the Chair,

The House resumed the consideration of the

### GENERAL ORDERS.

A Bill in relation to the qualification of Jurors and for other purposes, was called for a second reading, and on motion of Mr. ASHMORE was ordered to *lie on the Table*.

A Bill to alter and amend the amendment of the Constitution of this State, ratified on the 19th of December, one thousand, eight hundred and ten, was called for a second reading, and, on motion of Mr. ASHMORE, was ordered to *lie on the Table*.

A Bill to declare and amend the law in relation to words of limitation in Deeds and Wills was called for a second reading, and, on motion of Mr. HUTSON, was ordered to *lie on the Table*.

A Bill from the Senate to declare and amend the law in relation to words of limitation in Deeds and Wills was read the second time, and was ordered to be sent to the Senate.

The SPEAKER laid before the House the following communication :

COLUMBIA, Dec. 10, 1852.

*To the Hon. James Simons,**Speaker of the House of Representatives:*

DEAR SIR,—I accept the office of Clerk of the House, to which I have been elected.

My seat as a member of the House of Representatives is therefore vacant.

Very respectfully, your ob't serv't,

H. J. DEAN.

The SPEAKER then administered the constitutional oath of office to H. J. Dean, the Clerk elect.

A Bill to extend the charter of the Bank of the State of South Carolina, was read the second time.

Mr. MIDDLETON moved as an amendment to the Bill, the following additional section.

"That it is hereby declared that no pledge is made of the faith and credit of the State for the security of the notes, bills, or other contracts of whatsoever nature, of the said Bank or of its President or Directors." And the question being put, will the House agree to the amendment? It was decided in the negative.

Yeas, 35—Nays, 69.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

Messrs. Allen,

Bailey,

Boykin,

Bradley,

Christie,

Dantzler,

Duncan,

Ellis,

Flagg,

Gadsden,

Harrison,

Hutson,

A. R. Johnson,

Keitt,

Laurens,

Messrs. Lesesne,

McBee,

McCrady,

McGowan,

McKnight,

Manigault,

Middleton,

Mobley,

Moorer,

Morgan,

Murray,

B. F. Perry,

Porcher,

Read,

Rice,

Messrs. Thomson,  
Thornwell,  
Trotti,

Messrs. Vance, and  
Wescoat

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Anderson,  
Ashmore,  
Bates,  
Beaty,  
Blum,  
Boylston,  
Brown,  
Broyles,  
Burt,  
Byrd,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cash,  
Cauthen,  
Charles,  
Clarke,  
Clawson,  
Cooner,  
Crosson,  
Cruikshank,  
Cureton,  
Durant,  
Elliott,  
Fox,  
Garlington,  
Green,  
Hammond,  
Hampton,  
Hearst,  
Hope,  
Howell,  
Hudgins,

Messrs. Hunt,  
J. I. Ingram,  
Tillman Ingram,  
B. J. Johnson,  
W. R. Johnson,  
Kershaw,  
King,  
Lanneau,  
Lawton,  
Leitner,  
Maybin,  
Melton,  
Mulkins,  
O'Bryan,  
Owens,  
J. B. Perry,  
Pitta,  
Poppenheim,  
Reynolds,  
Rosborough,  
Seabrook,  
Sloan,  
Steele,  
Stokes,  
Sullivan,  
Tillinghast,  
Tradewell,  
Trenholm,  
Tucker,  
Wagner,  
Wallace,  
Williams,  
Winsmith, and  
Witherspoon.



Mr. MULLINS submitted the following amendment as an additional section to the Bill.

"That the said President and Directors shall not have authority, at any time, to make any subscription to the capital stock of any Rail Road or other work of internal improvement, within or without the limits of this State, unless by the permission of the Legislature.

And the question being put, will the House agree to the amendment? It was decided in the affirmative.

The Yeas and Nays were requested, and are as follows.

Yeas, 71—Nays, 37.

Those who voted in the affirmative, are

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Beaty,

Blum,

Boykin,

Boylston,

Brown,

Broyles,

Byrd,

J. B. Campbell,

Carwile,

Cash,

Cauthen,

Charles,

Christie,

Clawson,

Cooner,

Crosson,

Dantzier,

Duncan,

Durant,

Elliott,

Ellis,

Fox,

Messrs. Gadberry,

Garlington,

Green,

Harrison,

Hearst,

Hope,

Hudgins,

Hutson,

Tillman Ingram,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Keitt,

Lawton,

McBee,

McGowan,

Manigault,

Melton,

Mobley,

Moorer,

Morgan,

Mullins,

Murray,

O'Bryan,

Owens,

B. F. Perry,

J. B. Perry,

Pitts,

Messrs. Read,  
Rice,  
Rosborough,  
Springs,  
Steele,  
Stokes,  
Thomson,  
Thornwell,

Messrs. Tillinghast,  
Trotti,  
Vance,  
Wallace,  
Williams,  
Winsmith, and  
Witherspoon.

Those who voted in the negative are :

The Hon. JAMES SIMONS, Speaker, and

Messrs. Bradley,  
Burt,  
R. E. Campbell,  
Clarke,  
Cruikshank,  
Cureton,  
Flagg,  
Gourdin,  
Hammond,  
Hampton,  
Howell,  
Hunt,  
J. I. Ingram,  
Jordan,  
Kershaw,  
King,  
Lanneau,  
Laurens,

Messrs. Leitner,  
Lesesne,  
McCrary,  
McKnight,  
Maybin,  
Middleton,  
Mitchell,  
Poppenheim,  
Porcher,  
Reynolds,  
Seigling,  
Sinkler,  
Sloan,  
Sullivan,  
Tradewell,  
Trenholm,  
Tucker, and  
Wagner.

On motion of Mr. BOYLSTON the debate was suspended ; and

On motion of Mr. BOYLSTON, it was ordered that the order of the House, providing for adjournment at 10 P. M., be suspended for this evening.

The following message was received from the Senate.

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate respectfully insists on leave to amend the Report of the Committee on Claims of your House, on the account of B. C. Pressly, Editor

of the Southern Standard, for public printing, by allowing the charges of \$1.95, \$2.55 and \$2.10, for publications made under order of the Court of General Sessions in Charleston District.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, it was ordered that the House insist on refusing to grant leave to amend, and that a Committee be appointed to confer with a similar Committee, to be appointed by the Senate, and that a Message be sent accordingly. Whereupon, the SPEAKER appointed Messrs. Ashmore, Alexander and Harrison.

The following Message was received from the Senate:

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully informs your House, that they concur in the Resolution of your House, that President Thornwell be requested to furnish to this General Assembly, for publication, a copy of his able and eloquent address at the laying of the corner stone of the New Chapel for the College; and also, that they have appointed Messrs. J. D. Witherspoon, Moses and Porter, a committee, to unite with your Committee to procure the address, and superintend the publication of the same.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. ASHMORE, leave of absence was granted to Mr. Laurens for the remainder of the session.

On motion of Mr. MIDDLETON, leave of absence, as far as this House is concerned, was granted to the Comptroller General for the remainder of this session.

The House then resumed the consideration of a Bill to extend the Charter of the Bank of the State of South Carolina.

Mr. SULLIVAN moved to amend the Bill by striking out all after the enacting words in the first section and inserting the following: "That the Charter of the Bank of the State of South Carolina be and the same is hereby extended for the term of twenty-one years from the expiration of its present charter, with its present capital, together with all the powers, rights and privileges possessed and enjoyed under the existing laws in relation thereto."

Mr. TUCKER moved to lay the amendment on the Table, and the

question being put, Will the House agree thereto? It was decided in the negative:

Yeas 50—Nays 56.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative are,

|                        |                         |
|------------------------|-------------------------|
| <b>Messrs.</b> Bailey, | <b>Messrs.</b> McGowan, |
| Bates,                 | Manigault,              |
| Boykin,                | Middleton,              |
| Bradley,               | Mitchell,               |
| Byrd,                  | Mobley,                 |
| Carwile,               | Moorer,                 |
| Cash,                  | Morgan,                 |
| Christie,              | Murray,                 |
| Cooner,                | O'Bryan,                |
| Crosson,               | Owens,                  |
| Dantzler,              | B. F. Perry,            |
| Duncan,                | J. B. Perry,            |
| Ellis,                 | Poppenheim,             |
| Flagg,                 | Porcher,                |
| Fox,                   | Read,                   |
| Gadberry,              | Springs,                |
| Green,                 | Stokes,                 |
| Harrison,              | Thomson,                |
| Hope,                  | Thornwell,              |
| Hutson,                | Tillinghast,            |
| B. J. Johnson,         | Trotti,                 |
| A. R. Johnston,        | Tucker,                 |
| Keitt,                 | Vance,                  |
| Laurens,               | Weatherly, and          |
| Lesesne,               | Wescoat,                |
| McBee,                 |                         |

Those who voted in the negative are:

|                                        |                      |
|----------------------------------------|----------------------|
| <b>Hon. JAMES SIMONS, Speaker, and</b> |                      |
| <b>Messrs.</b> Alexander,              | <b>Messrs.</b> Blum, |
| Anderson,                              | Boylston,            |
| Ashmore,                               | Brown,               |
| Beaty,                                 | Broyles,             |

|                      |                        |
|----------------------|------------------------|
| <b>Messrs. Burt,</b> | <b>Messrs. Lawton,</b> |
| R. E. Campbell,      | Leitner,               |
| Cauthen,             | McCrary,               |
| Charles,             | McKnight,              |
| Clarke,              | Maybin,                |
| Clawson,             | Melton,                |
| Cruikshank,          | Mullins,               |
| Cureton,             | Pitts,                 |
| Durant,              | Reynolds,              |
| Elliott,             | Rice,                  |
| Garlington,          | Rosborough,            |
| Gourdin,             | Seigling,              |
| Hampton,             | Sinkler,               |
| Hearst,              | Sloan,                 |
| Howell,              | Steele,                |
| Hudgens,             | Sullivan,              |
| Hunt,                | Tradewell,             |
| J. I. Ingram,        | Trenholm,              |
| Tillman Ingram,      | Wagner,                |
| W. R. Johnson,       | Wallace,               |
| Kershaw,             | Williams,              |
| King,                | Winsmith, and          |
| Lanneau,             | Witherspoon.           |

So the House refused to lay the amendment on the Table.

Mr. HUNT moved the indefinite postponement of Mr. Sullivan's amendment; which passed in the affirmative.

Yeas 67—Nays 41.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are

|                        |                         |
|------------------------|-------------------------|
| <b>Messrs. Bailey,</b> | <b>Messrs. Carwile,</b> |
| Blum,                  | Cash,                   |
| Boykin,                | Charles,                |
| Boylston,              | Clarke,                 |
| Bradley,               | Cooner,                 |
| Brown,                 | Crosson,                |
| Broyles,               | Cruikshank,             |
| J. B. Campbell,        | Dantzler,               |

Messrs. Durant,  
 Ellis,  
 Flagg,  
 Fox,  
 Gadberry,  
 Green,  
 Hammond,  
 Hearst,  
 Hope,  
 Hunt,  
 Hutson,  
 Tillman Ingram,  
 B. J. Johnson,  
 W. R. Johnson,  
 A. R. Johnston,  
 Keitt,  
 Kershaw,  
 Lanneau,  
 Lawton,  
 McGowan,  
 Manigault,  
 Melton,  
 Middleton,  
 Mitchell,  
 Moorer,  
 Mullins,

Messrs. Munro,  
 Murray,  
 O'Bryan,  
 Owens,  
 J. B. Perry,  
 Poppenheim,  
 Porcher,  
 Read,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seigling,  
 Springs,  
 Steele,  
 Stokes,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Tradewell,  
 Trotti,  
 Tucker,  
 Vance,  
 Wallace,  
 Weatherly and  
 Wescoat.

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker,

Messrs. Alexander,  
 Anderson,  
 Ashmore,  
 Bates,  
 Beaty,  
 Burt,  
 Byrd,  
 R. E. Campbell,  
 Cauthen,  
 Christie,

Messrs. Clawson,  
 Cureton,  
 Duncan,  
 Elliott,  
 Garlington,  
 Gourdin,  
 Hampton,  
 Harrison,  
 Howell,  
 Hudgens,

Messrs. J. I. Ingram,  
 King,  
 Leitner,  
 Lesesne,  
 McBee,  
 McCrady,  
 McKnight,  
 Maybin,  
 Mobley,  
 Morgan,

Messrs. B. F. Perry,  
 Pitts  
 Sinkler,  
 Sloan,  
 Sullivan,  
 Trenholm,  
 Wagner,  
 Williams,  
 Winsmith, and  
 Witherspoon.

So the House postponed the amendment, and the question being put,  
 "Shall the Bill be sent to the Senate?" it passed in the affirmative.

Yeas, 74—Nays, 33.

The Yeas and Nays were requested and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
 Anderson,  
 Ashmore,  
 Bates,  
 Beaty,  
 Blum,  
 Boykin,  
 Boylston,  
 Brown,  
 Broyles,  
 Burt,  
 Byrd,  
 J. B. Campbell,  
 R. E. Campbell,  
 Cash,  
 Cauthen,  
 Charles,  
 Clarke,  
 Clawson,  
 Crosson,  
 Cruikshank,  
 Cureton,

Messrs. Durant,  
 Elliott,  
 Fox,  
 Gadberry,  
 Garlington,  
 Gourdin,  
 Green,  
 Hammond,  
 Hampton,  
 Hearst,  
 Hope,  
 Howell,  
 Hudgens,  
 Hunt,  
 J. I. Ingram,  
 Tillman ngram,  
 W. R. Johnson,  
 Kershaw,  
 King,  
 Lanneau,  
 Lawton,  
 Leitner,

Messrs. McKnight,  
Maybin,  
Milton,  
Mitchell,  
Mullins,  
O'Bryan,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Reynolds,  
Rice,  
Rosborough,  
Seigling,  
Sinkler,

Messrs. Sloan,  
Springs,  
Steele,  
Stokes,  
Sullivan,  
Tradewell,  
Trenholm,  
Tucker,  
Wagner,  
Walker,  
Weatherly,  
Williams,  
Winsmith, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Bailey,  
Bradley,  
Carwile,  
Christie,  
Cooner,  
Dantzler,  
Duncan,  
Ellis,  
Flagg,  
Harrison,  
Hutson,  
B. J. Johnson,  
A. R. Johnston,  
Keitt,  
Lesesne,  
McBee,  
McGowan,

Messrs. Manigault,  
Middleton,  
Mobley,  
Moorer,  
Morgan,  
Munro,  
Murray,  
Owens,  
B. F. Perry,  
Read,  
Thomson,  
Thornwell,  
Tillinghast,  
Trotti,  
Vance, and  
Wescoat.

The Bill was then ordered to be sent to the Senate.

The House was adjourned at 11 o'clock, P. M.



## SATURDAY, DECEMBER 11, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. BLAKENEY, who was absent on the taking of the vote, to send to the Senate a Bill to recharter the Bank of the State of South Carolina, asked and obtained leave to record the vote he would have given if present, and his name being called he answered "Aye."

Mr. J. I. INGRAM obtained leave of absence for Mr. Epps, for the remainder of the session, on account of illness in his family.

Mr. OWENS, obtained leave of absence for Mr. A. R. Johnston, for the remainder of the session.

The Senate returned to this House the following Acts, which were committed to the Committee on Engrossed Acts :

An Act to prevent the passage of fish up Lynch's Creek.

An Act to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets in the town of Moultrieville, and to remove all obstructions in such streets.

An Act to exempt the surviving officers and members of the Palmetto Regiment from ordinary militia duty.

An Act to authorize the formation of a new Volunteer Company within the limits of the 23d Regiment of Infantry.

An Act to relieve plank road companies from the necessity of making returns unless specially called for by the Legislature.

An Act to charter the Lancaster Rail Road Company and for other purposes.

An Act to incorporate the Village of Cokesbury, and An Act to arrange the State into Districts for the election of Representatives in the Congress of the United States and for other purposes.

The Senate sent to this House a Bill to extend the charter of the Bank of the State of South Carolina, and to prevent the circulation within the State of bank notes of a less denomination than five dollars, issued by persons or corporations of other States, which was read the first time.

Mr. WINSMITH moved to refer the bill to the Committee of Ways and Means, and, the question being put, "Will the House agree thereto?" Tellers were called for, and the House divided—Messrs. Hunt and Win-

smith were appointed to count the House. The tellers reported 25 in the affirmative, and 42 in the negative.

On motion of Mr. HUNT, the Bill was referred to a Special Committee of three, whereupon the SPEAKER appointed Messrs. Hunt, Win-smith and Sullivan of the Committee.

Mr. ASHMORE obtained leave for the Committee on Claims to sit this day while this House is in session.

The Senate sent to this House

A Bill to incorporate the Carolina Blues, a Volunteer Company in the Town of Columbia, which was read the first time and referred to the Committee on the Military.

The Senate also sent to this House

A Bill to incorporate the Town of Bluffton; which was read the third time,

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act;

*Ordered*, That it be returned to the Senate.

The Senate returned to this House A Bill to alter and amend the law in relation to the education of the Deaf and Dumb of this State; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act,

*Ordered*, That it be sent to the Senate.

The Senate returned to this House A Bill to alter the Constitution of this State so as to divide Pendleton into two election districts; which was referred to the Committee on Engrossed Acts.

The Senate sent to this House, with their concurrence, the following reports :

Reports of the Committee of Ways and Means;

On the petition of J. D. Allen,

On the memorial of City Council of Charleston, praying an appropriation for Transient Poor.

Report of the Committee on Colored Population, on so much of the Governor's Message as relates to the imprisonment of Colored Seamen.

Reports of the Committee on Claims; on

The account of William Blackledge,

The account of Palmetto Banner,

The account of Jesse E. Dent, and

The account of Dr. A. Malloy.

Reports of the Committee on Pensions ; on  
The petition of George W. Dorn,  
The petition of Nancy Bailey,  
The petition of James D. Mansfield ; and, on  
The account of D. J. Rice.

The Senate sent to this House for their concurrence, the report of the Committee on Claims and Grievances on the memorial of Thomas Frean, praying additional compensation for work done, and to be allowed to finish certain unfinished work ; which was referred to the Committee on Claims.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made a report on the memorial of James Jones and J. J. Kennedy ; which was ordered for consideration on Monday next.

Mr. McCRADY from the Committee on Incorporations to whom were referred the following Bills from the Senate,—

A Bill to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree River, and

A Bill to regulate agencies of Foreign Insurance Companies, made reports ; which were ordered for consideration on Monday next.

Mr. J. B. PERRY, from the same Committee, made a report on a Bill from the Senate to incorporate the Firemen's Insurance Company of Charleston ; which was ordered for consideration on Monday next.

Mr. SULLIVAN, from the Committee on Education, made reports, on the report of the Vestry of the Parish Church, of St. James' Goose Creek, and,

On the report of the Attorney General on the Ludlum School fund ; and

On the report of the Committee on College, Education and Religion, on the same subject, which were severally ordered for consideration on Monday next.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports on Bills from the Senate ;

A Bill to establish and incorporate the Western Bank of South Carolina, to be located in the town of Anderson ;

A Bill to revive and amend An Act, entitled An Act to establish and incorporate a Bank in the town of Winnsborough ; and

A Bill to alter and amend the sixth section of An Act, entitled An Act, to amend An Act, entitled An Act to authorize the formation of the Greenville and Columbia Rail Road Company ; and,

An Act, entitled An Act to amend An Act to authorize the formation of

the Greenville and Columbia Rail Road Company, and for other purposes; which were ordered for consideration on Monday next.

Mr. BOYLSTON, from the Committee on the Judiciary, made a report on the petitions of John W. Burbridge and Fanny Burdishaw; which was ordered for consideration on Monday next, and

Reported A Bill to vest certain real and personal property of Arthur J. Counts, deceased, in Elizabeth Counts; which was read the first time, and was ordered to be read the second time on Monday next.

Mr. SLOAN, from the Committee on the Judiciary, and Mr. SPRINGS, from the minority of the same committee, to whom was referred A Bill to amend the 10th section of the 1st article of the Constitution of this State, made reports; which were made the special order of the day for the first Tuesday in December, 1853, at 1 o'clock, P. M.

Mr. WILLIAMS, from the Committee on Pensions, made a report on the petition of Ellen Lewis; which was ordered for consideration on Monday next.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the petition of the Commissioners of Public Buildings for Marion District, asking an appropriation for a new Court House;

On the petition of sundry citizens of York, asking leave to sell their Jail and Jail lot; and

On the memorial of the Commissioners of Public Buildings for Georgetown, praying an appropriation to enlarge the Court House; which was ordered for consideration on Monday next.

Mr. SULLIVAN, from the Committee on Education, made a report on the Treasurers Report to the honorable Board of Trustees of the South Carolina College; which was ordered for consideration on Monday next.

Mr. J. B. PERRY submitted the following preamble and resolution, which were ordered for consideration on Monday next:

*Whereas*, his Excellency the Governor, in his recent annual Message, has recommended a revision of our criminal code, and certain alterations in our Prisons and Prison discipline. Be it therefore

*Resolved*, That his Excellency the Governor be, and he is hereby authorized and required by this Legislature, as soon after the termination of the present session as may be convenient, to appoint a commission, consisting of three competent persons, citizens of this State, whose duty it shall be to take under consideration the whole subject of our Criminal

Law, Prisons and Prison discipline, and report to the next session such alterations as may be deemed expedient and necessary.

*Resolved* further, That the said Commissioners of the performance of the duties aforesaid, be allowed a reasonable compensation, to be hereafter fixed by the Legislature.

On motion of Mr. TUCKER, a message was ordered to be sent to the Senate, informing that body that H. J. Hean had been duly elected Clerk of this House, and that he has been qualified.

Mr. HAMPTON presented the account of Charles Beck against the State, which was referred to the Committee on Claims.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to define the principles on which Joint Stock Banks shall be incorporated, was called for a second reading.

Mr. McCRADY moved that the Bill *lie on the Table*.

And the question being put will the House agree thereto? tellers were called for, and the House divided. Messrs. Boykin and Poppenheim were appointed to count the House, and reported 30 in the affirmative and 40 in the negative. So the House refused to lay the Bill on the Table.

The Bill was then read the second time.

Mr. MITCHELL moved to lay the Bill on the table, and the question being put will the House agree thereto? it was decided in the negative.

Yeas, 19—Nays, 80.

The yeas and nays were requested, and are as follows.

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Allen,

Blakeney,

Christie,

Crosson,

Ellis,

Green,

Hammond,

Keitt,

Lesesne,

Messrs. McCrady,

Mitchell,

Mobley,

O'Bryan,

Owens,

J. B. Perry,

Stokes,

Thomson, and

Winsmith.

Those who voted in the negative, are

**Messrs. Anderson,**

Bailey,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Byrd,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Clarke,  
Clawson,  
Cureton,  
Dantzler,  
Duncan,  
Durant,  
Ervin,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Hampton,  
Hearst,  
Hope,  
Hudgens,  
J. L. Ingram,  
Tillman Ingram,  
B. J. Johnston,  
W. R. Johnson,  
Jordan,  
Kershaw,  
Lanneau,  
Lawton,  
Leitner,

**Messrs. McRae,**

McGowan,  
Manigault,  
Maybin,  
Melton,  
Middleton,  
Moorer,  
Morgan,  
Mullins,  
Munro,  
Murray,  
Patterson,  
B. F. Perry,  
Pickens,  
Pitta,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Rice,  
Rosborough,  
Seabrook,  
Seigling,  
Shedd,  
Springs,  
Steele,  
Sullivan,  
Thornwell,  
Torre,  
Trenholm,  
Trotti,  
Tucker,  
Vance,  
Wagner,  
Walker,  
Wallace,  
Weatherly,  
Wescoat,  
Williams, and  
Witherspoon.

Mr. MULLINS proposed the following amendment to the 11th section of the Bill ;

“ But no tax shall be imposed on any Bank by any municipal corporation, without the consent of the Legislature first had and obtained.

Mr. TUCKER moved to lay the amendment on the table, and the question being put, will the House agree thereto ? tellers were called for and the House divided. Messrs. Tucker and Sullivan were appointed to count the House, who reported 49 in the affirmative and 42 in the negative. So the House ordered the amendment to the Bill *to lie on the Table*.

Mr. HUNT moved to amend the 11th section of the Bill by adding thereto the following words : “ In the same manner as other estate and other stock in trade and not otherwise.”

And the question being put, Will the House agree thereto ? It passed in the affirmative.

Yeas, 70—Nays, 39.

The yeas and nays were requested and are as follows.

Those who voted in the affirmative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Anderson,

Bates,

Beaty,

Blakeney,

Bradley,

Brown,

Broyles,

Byrd,

J. B. Campbell,

R. E. Campbell,

Carwile,

Cash,

Cauthen,

Christie,

Clarke,

Clawson,

Cureton,

Dantzler,

Messrs. Duncan,

Ellis,

Fox,

Gadberry,

Gadsden,

Harrison,

Hearst,

Hope,

Hudgens,

Hunt,

J. I. Ingram,

Tillman Ingram,

W. R. Johnson,

Keitt,

Kershaw,

Lawton,

McBee,

McGowan,

McKnight,

Messrs. Maybin,  
 Middleton,  
 Moorer,  
 Morgan,  
 Murray,  
 O'Bryan,  
 Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Pickens,  
 Reynolds,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Shedd,  
 Steele,

Messrs. Stokes,  
 Sullivan,  
 Thomson,  
 Thornwell,  
 Tillinghast,  
 Torre,  
 Tradewell,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Wescoat,  
 Williams,  
 Winsmith, and  
 Witherspoon.

Those who voted in the negative, are

Messrs. Allen,  
 Ashmore,  
 Blum,  
 Boykin,  
 Charles,  
 Crosson,  
 Cruikshank,  
 Durant,  
 Elliott,  
 Flagg,  
 Garlington,  
 Gourdin,  
 Green,  
 Hammond,  
 Hampton,  
 B. J. Johnson,  
 Jordan,  
 King,  
 Lanneau,

Messrs. Leitner,  
 Lesesne,  
 McCrady,  
 Manigault,  
 Melton,  
 Mitchell,  
 Mullins,  
 Munro,  
 Owens,  
 Pitts,  
 Poppenheim,  
 Porcher,  
 Read,  
 Siegling,  
 Sinkler,  
 Springs,  
 Trenholm,  
 Wagner, and  
 Weatherly.

Mr. TORRE moved to reconsider the vote on Mr. Hunt's amendment, having voted in the affirmative for that purpose, and the question being



put, Will the House agree to reconsider? It was decided in the negative.

At 4 o'clock, P. M., under the order of the House, business was suspended until 6 o'clock, P. M.

### RECESS.

When the SPEAKER took the chair, the House resumed the consideration of the

### GENERAL ORDERS.

A Bill to define the principles on which Joint Stock Banks shall be incorporated, was read the second time, and was ordered to be sent to the Senate.

On motion of Mr. ASHMORE, the general orders were suspended.

Mr. ASHMORE, from the Committee on Claims, made reports,

On the account of Dr. J. R. Barnett;

On the account of Charles Beck; and,

On the report of the Senate's Committee on Claims; and,

On the memorial of Thomas Frean; which were ordered for consideration on Monday next.

On motion of Mr. ASHMORE, the Committee on Claims was discharged from the consideration of the petition of Thomas Frean, late Surveyor General; and,

On motion of Mr. ASHMORE, the same was ordered to *lie on the Table*.

Mr. McGOWAN, from the Committee on the Military, made reports on-

The account of Polk Robinson; and,

The series of Resolutions concerning the Military Academy, referred to them, made reports; which were ordered for consideration on Monday next.

Mr. HUNT, from the Special Committee to whom was referred a Bill from the Senate to extend the charter of the Bank of the State of South Carolina, and to prevent the circulation within the State of Bank notes of a less denomination than five dollars, issued by persons or corporations of other States, made reports; which were ordered for consideration on Monday next.

Mr. READ, from the Special Joint Committee appointed to examine the contingent accounts of the Governor, made a report; which was ordered for consideration on Monday next.

A Bill to make appropriations for the year commencing one thousand eight hundred and fifty-two, was called for a second reading, and the question being put, Shall the Bill be read the second time? tellers were called for, and the House divided. Messrs. Hope and Bates were appointed to count the House, and reported 42 in the affirmative and 40 in the negative. So the Bill was ordered to be read a second time.

Mr. MELTON moved to reconsider the vote, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 36—Nays, 68.

Those who voted in the affirmative, are

Messrs. Anderson,

Ashmore,

Blakeney,

Blum,

Boykin,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Cruikshank,

Ellis,

Fox,

Gadberry,

Gourdin,

Green,

Hampton,

Messrs. Howell,

Hudgens,

Hunt,

Hutson,

B. J. Johnson,

Lanneau,

Lesesne,

McCrary,

Melton,

Middleton,

Munro,

Poppenheim,

Reynolds,

Sullivan,

Tradewell,

Trenholm,

Wagner, and

Williams.

Those who voted in the negative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Bailey,

Bates,

Beaty,

Boylston,

Messrs. Byrd,

Carwile,

Cauthen,

Charles,

Christie,

Clarke,

Messrs. Clawson,  
 Crosson,  
 Cureton,  
 Dantzler,  
 Duncan,  
 Durant,  
 Elliott,  
 Ervin,  
 Flagg,  
 Garlington,  
 Hammond,  
 Harrison,  
 Hearst,  
 Hope,  
 Tillman Ingram,  
 W. R. Johnson,  
 Jordan,  
 Keitt,  
 Kershaw,  
 Lawton,  
 Leitner,  
 McBee,  
 McGowan,  
 Manigault,  
 Mobley,  
 Mooror,  
 Morgan,  
 Mullins,

Messrs. Murray,  
 O'Bryan,  
 Owens,  
 Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Pickens,  
 Pitts,  
 Porcher,  
 Read,  
 Rice,  
 Rosborough,  
 Seabrook,  
 Springs,  
 Steele,  
 Stokes,  
 Thomson,  
 Tillinghast,  
 Torre,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wallace,  
 Wescoat,  
 Winsmith, and  
 Witherspoon.

So the House refused to re-consider.

The House then proceeded to read a second time.

Mr. ASHMORE moved to amend the 6th section of the Bill, by striking out, in the clause for the support of Free Schools, "\$37,500," and inserting "\$74,400."

Mr. CASH moved to lay the amendment on the table; and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 29—Nays, 75.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

Messrs. Blakeney,

Boylston,

Broyles,

Byrd,

Cash,

Clarke,

Cruikshank,

Dantzler,

Duncan,

Elliott,

Hunt,

Hutson,

Tillman Ingram,

B. J. Johnson,

W. R. Johnson,

Messrs. King,

Lesesne,

McBee,

Manigault,

Middleton,

Munro,

B. F. Perry,

J. B. Perry,

Read,

Seigling,

Siukler,

Trenholm,

Wagner, and

Walker.

Those who voted in the negative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Beaty,

Blum,

Boykin,

Brown,

J. B. Campbell,

R. E. Campbell,

Cauthen,

Charles,

Christie,

Clawson,

Crosson,

Cureton,

Durant,

Ellis,

Messrs. Ervin,

Flagg,

Fox,

Gadberry,

Gadsden.

Garlington,

Gourdin,

Green,

Hammond,

Hampton,

Hearst,

Hope,

Howell,

Hudgins,

A. R. Johnston,

Jordan,

Keitt,

Kershaw,

Lanneau,

Lawton,

Messrs. Leitner,  
 McGowan,  
 McKnight,  
 Maybin,  
 Milton,  
 Mobley,  
 Moorer,  
 Morgan,  
 Mullins,  
 Murray,  
 O'Bryan,  
 Patterson,  
 Pickens,  
 Pitts,  
 Poppenheim,  
 Porcher,  
 Reynolds,

Messrs. Rosborough,  
 Seabrook,  
 Springs,  
 Steele,  
 Sullivan,  
 Thomson,  
 Tillinghast,  
 Torre,  
 Tradewell,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Wescoat,  
 Williams,  
 Winsmith, and  
 Witherspoon.

Mr. PERRY submitted the following amendment to the amendment proposed by Mr. Ashmore, by adding thereto the following proviso: *Provided*, the said appropriation be apportioned among the several districts and parishes in proportion to the white population of the State.

Mr. BLAKENEY moved to lay the proposed amendment on the table, and the question being put, "Will the House agree thereto?" it passed in the affirmative—

Yeas, 78—Nays, 32.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
 Allen,  
 Anderson,  
 Ashmore,  
 Bailey,  
 Bates,  
 Blakeney,  
 Boylston,

Messrs. Brown,  
 Broyles,  
 Burt,  
 Byrd,  
 R. E. Campbell,  
 Carwile,  
 Cauthen,  
 Charles,

Messrs. Christie,  
 Clawson,  
 Dantzler,  
 Elliott,  
 Ellis,  
 Flagg,  
 Fox,  
 Gadsden,  
 Garlington,  
 Gourdin,  
 Green,  
 Hammond,  
 Hampton,  
 Harrison,  
 Hearst,  
 Hope,  
 Howell,  
 Hudgens,  
 Hutson,  
 Tillman Ingram,  
 Keitt,  
 Kershaw,  
 King,  
 Lawton,  
 Lesesne,  
 McCrady,  
 McKnight,  
 Manigault,  
 Maybin,  
 Melton,

Messrs. Middleton,  
 Mitchell,  
 Mobley,  
 Moorer,  
 Murray,  
 O'Bryan,  
 Owens,  
 Patterson,  
 J. B. Perry,  
 Pitts,  
 Porcher,  
 Read,  
 Reynolds,  
 Seabrook,  
 Seigling,  
 Shedd,  
 Sinkler,  
 Steele,  
 Stokes,  
 Sullivan,  
 Tillinghast,  
 Tradewell,  
 Trenholm,  
 Trotti,  
 Vance,  
 Wagner,  
 Walker,  
 Wallace,  
 Wescoat, and  
 Witherspoon.

Those who voted in the negative are,

Messrs. Boykin,  
 Bradley,  
 J. B. Campbell,  
 Cash,  
 Clarke,  
 Crosson,  
 Cruikshank,

Messrs. Cureton,  
 Duncan,  
 Durant,  
 Gadberry,  
 J. I. Innram,  
 B. J. Johnson,  
 W. R. Johnson,

**Messrs. Jordan,**

Leitner,

McBee,

McGowan,

Morgan,

Mullins,

Munro,

B. F. Perry,

Pickens,

**Messrs. Poppenheim,**

Rice,

Rosborough,

Springs,

Thomson,

Thornwell,

Weatherly,

Williams, and

Winsmith,

The question then recurred on Mr. ASHMORE'S amendment, and the question being put, "Will the House agree thereto?" it passed in the affirmative.

Yeas, 79—Nays, 32.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

**Messrs. Alexander,**

Allen,

Anderson,

Ashmore,

Bailey,

Bates,

Blakeney,

Blum,

Boykin,

Boylston,

Bradley,

Brown,

J. B. Campbell,

R. E. Campbell,

Carwile,

Cauthen,

Christie,

Clawson,

Crosson,

Cruikshank,

Cureton,

**Messrs. Duncan,**

Elliott,

Ellis,

Ervin,

Flagg,

Fox,

Gadberry,

Gadsden,

Garlington,

Green,

Hammond,

Hampton,

Harrison,

Hearst,

Hope,

Howell,

Hudgens,

Hutson,

J. I. Ingram,

Tillman Ingram,

Jordan,

**Messrs. Keitt,**

Kershaw,  
Lawton,  
Leitner,  
McBee,  
McCrary,  
McGowan,  
McKnight,  
Melton,  
Moblely,  
Moorer,  
Morgan,  
Mullins,  
Murray,  
O'Bryan,  
Owens,  
Patterson,  
Pickens,

**Messrs. Pitts,**

Poppenheim,  
Reynolds,  
Seabrook,  
Sloan,  
Springs,  
Steele,  
Sullivan,  
Thomson,  
Thornwell,  
Tradewell,  
Trenholm,  
Trotti,  
Vance,  
Wallace,  
Williams,  
Winsmith, and  
Witherspoon.

Those who voted in the negative are :

**Messrs. Beaty,**

Broyles,  
Burt,  
Byrd,  
Cash,  
Charles,  
Clarke,  
Dantzler,  
Durant,  
Gourdin,  
Hunt,  
B. J. Johnson,  
W. R. Johnson,  
King,  
Leseenc,  
Manigault,

**Messrs. Middleton,**

Mitchell,  
Munro,  
B. F. Perry,  
J. B. Perry,  
Porcher,  
Read,  
Rice,  
Rosborough,  
Seigling,  
Sinkler,  
Stokes,  
Wagner,  
Walker,  
Weatherly, and  
Wescoat.

Mr. MAYBIN, who was absent when the vote was taken on agreeing to the amendment, was permitted to record the vote he would have given



if present, and his name having been called for that purpose, he answered "Aye."

The Bill was then read the second time, and ordered to be sent to the Senate.

On motion of Mr. ASHMORE, it was ordered that a message be sent to the Senate, proposing to that body to rescind the Joint Resolution providing for the adjournment of the General Assembly on Wednesday 15th inst., and to substitute in lieu thereof, Friday, 17th.

Mr. McGOWAN gave notice that he will on Monday next, move to suspend the 52d Rule of this House for the rest of the session.

The House was adjourned at 45 minutes past 10 o'clock, P. M.

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MONDAY, DECEMBER 13, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The SPEAKER announced that Mr. O'Bryan is added to the Committee on Privileges and Elections.

On motion of Mr. TILLINGHAST, leave of absence was granted to Mr. Seabrook for the remainder of the session on account of indisposition.

On motion of Mr. TUCKER, it was ordered that writs of election do forthwith issue to the Managers of the Election District of Spartan, to fill the vacancy occasioned by the election of H. J. Dean to a disqualifying office.

The Senate returned to this House An Act to alter and amend the law in relation to the education of the deaf and dumb of this State; which was committed to the Committee on Engrossed Acts.

Mr. READ presented the petition of S. T. Gaillard and others, praying for the incorporation of Plantersville; which was referred to the Committee on Incorporations.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports on

The report of the President of the Wilmington and Manchester Rail Road Company;

The report of the President of the Cheraw and Anson Plank Road Company ; and

On a Bill from the Senate to authorize the State to afford additional aid in the construction of the Spartanburg and Union Rail Road ; which were ordered for consideration to-morrow.

Mr. GADBERRY, from the Committee on the Military, made a report on the petition of George H. Walter and W. G. DeSaussure, officers of the Washington Artillery, praying that a debt due by said Company to the Citadel Academy may be remitted ; which was ordered for consideration to-morrow.

Mr. BURT, from the Committee on Accounts, made a report on the report of the Comptroller General, on the contingent accounts against the Treasurer of the Upper Division ; and

On motion of Mr. BURT, it was ordered *to lie on the Table*.

Mr. DURANT presented the returns of Commissioners of Free Schools for Kingston Parish ; which was referred to the Committee on Education.

On motion of Mr. LAWTON, a message was ordered to be sent to the Senate, proposing to that body to go into an election for President and Directors of the Bank of the State of South Carolina, on Wednesday next, at 12 o'clock, M.

Mr. SPRINGS presented the petition of sundry citizens of York District, praying the repeal of an Act to increase the amount of property exempt from levy and sale.

The Senate sent to this House

A Bill to establish and incorporate another Bank in Charleston, to be called the People's Bank ; which was read the first time and referred to the Committee of Ways and Means.

A Bill to amend the charter of the Wilmington and Manchester Rail Road Company, was referred to the Committee on Incorporations.

The Senate also sent to this House

A Bill to change the day of election of and term of office of Mayor and Aldermen of the city of Charleston and for other purposes ; which was read the third time.

*Resolved*, That the Bill do pass ; that the title thereof be changed—that it be called An Act.

*Ordered*, That it be returned to the Senate.

The Senate returned to this House

A Bill to repeal all Acts and parts of Acts, authorizing Ordinaries to

take possession of and administer derelict estates; which was ordered for a third reading.

The following amendment proposed by the Senate was read: "That the 7th section of the Act of 1839, entitled An Act concerning the office and duties of Ordinary, and all other Acts and parts of Acts, authorizing the Ordinary to take charge of and administer derelict estates, be and the same are hereby repealed. And the question being put, will the House agree thereto? tellers were called for and the House divided. Messrs. Perry and Lesesne were appointed to count the House, and reported 37 in the affirmative and 49 in the negative. So the House refused to agree to the amendment, and the title of the Bill was restored accordingly to A Bill concerning derelict estates, and the partition and sale of real estate by the Ordinary.

The Bill was then read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

The Senate also sent to this House

A Bill to alter and amend an Act, entitled An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road; which was read the third time,

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a resolution to suspend the 52d Rule of this House for the remainder of this Session. And on motion of Mr. THORNWELL was ordered to lie on the Table.

The Senate sent to this House the following Bills;

A Bill to amend an Act, entitled An Act to incorporate the Columbia Insurance Company; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

A Bill to incorporate the Beaufort Female Seminary; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered*, That it be sent to the Senate.

A Bill to incorporate the Columbia and Beaufort Loan and Building Association ; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed.

*Ordered*, That it be sent to the Senate.

The Senate also sent to this House a resolution as to printing done under the direction of the presiding Judge ; which was referred to the Committee on the Judiciary.

The following message was received from the Senate :

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House to amend the Report of the Committee on Claims of your House on the account of Gilbert & Frazer, for public printing, by striking out "twenty-five dollars," and inserting in lieu thereof six dollars and twenty-five cents.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

And, on motion of Mr. MITCHELL, was ordered to *lie on the Table*.

The following Message was received from the Senate :

IN THE SENATE, December 10, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the Report of the Committee of Claims of your House, on the account of W. J. Francis, proprietor of the Sumter Banner, for public printing, by striking out twelve 50-100 dollars, and inserting, in lieu thereof, six dollars and 25 cents.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. GREEN, leave was granted to the Senate so to amend, and a Message was sent accordingly.

Mr. GARLINGTON presented the Report of the Commissioners of the Fire Proof Building ; which was referred to the Committee on State House and Grounds.

Mr. McCRADY, from the Committee on Incorporations, made a report,

On the petition of S. T. Gaillard, and others, praying for the incorporation of Plantersville ; which was ordered for consideration to-morrow.

On motion of Mr. McCRADY, the Committee on Incorporations was discharged from the consideration of a Bill to amend the charter of the

Wilmington and Manchester Rail Road Company; and the same was referred to the Committee on Internal Improvements.

Mr. BOYLSTON, from the Committee on the Judiciary, made a report on the 3d volume of Richardson's Equity, and 5th volume of Richardson's Law Reports, and the communication accompanying the same; which was ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, made a report on the Annual Returns of the various Boards of the Commissioners of Free Schools in the different Districts, Counties and Parishes; which was ordered for consideration to-morrow.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to amend the charter of the Wilmington and Manchester Rail Road Company, was called for a second reading; and after some progress made therein,

On motion of Mr. KEITT, the General Orders were suspended; and,

On motion of Mr. KEITT, a Message was sent to the Senate, inviting that body to attend in the Hall of the House of Representatives, and assist in the Inauguration of the Governor elect.

### INAUGURATION OF THE GOVERNOR.

The Senate, Chancellors and Law Judges, then attended in the Hall of the House of Representatives, and immediately after the Hon. John L. Manning, Governor elect, accompanied by Governor Means, and the Joint Committee of Arrangements, entered the Hall.

The Governor elect addressed the Members of the General Assembly, acknowledging his profound sense of gratitude for this expression of public confidence, manifested by his election to preside over the Executive Department of the Government.

The SPEAKER of the House of Representatives then administered to the Governor elect, the Constitutional oath of office.

The SPEAKER, accompanied by the members and attended by the officers of the House, went to the Senate Chamber, when the President of the Senate delivered to the Governor his commission; and, from thence, the Governor, accompanied by the President of the Senate and the Speaker of the House of Representatives, with the members of the General Assembly repaired to the eastern portico of the Capitol, when the Sheriff of

Richland District read the Governor's Commission and made proclamation of his election.

The SPEAKER took the Chair.

The House resumed the consideration of the

### GENERAL ORDERS.

And the reading of the Bill to amend the charter of the Wilmington and Manchester Rail Road Company was continued.

Mr. MIDDLETON moved to amend the Bill by adding to the Section the following words :

*Provided, nevertheless,* that it shall not be lawful for said Company to prevent any Rail or Plank Road Company from crossing its main track or any branch thereof, but said crossing shall be regulated by said Companies on such terms and conditions as may be reciprocally convenient to them and conducive to the public, and, provided, further, that any differences that may arise between the Companies, shall be referred to one of the Chancellors for decision.

Mr. HUTSON moved to lay the amendment on the Table, and the question being put, " Will the House agree thereto ?" Tellers were called for, and the House divided, Messrs. Sullivan and Middleton were appointed to count the House, and reported 43 in the affirmative and 42 in the negative. So the House ordered the amendment to *lie on the Table*.

The Bill was then read the second time and was ordered to be sent to the Senate.

The House then suspended the General Orders and read, a third time, A Bill to vest all the right, title and interest of the State in the personal estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald D. McDonald,

*Resolved,* That the Bill do pass, that the title thereof be changed, that it be called An Act.

*Ordered,* That it be returned to the Senate.

The House again resumed the consideration of the

### GENERAL ORDERS.

The following Bills were ordered to *lie on the Table* :

A Bill to alter the 97th section of the Militia Laws of this State, so as to authorize Colonels of Regiments to appoint their own collectors of fines.

A Bill to give to the officers commanding companies, the right to

hold Courts martial for the trial of all defaulters for company and patrol duty within their respective limits,

A Bill to reduce the number of petty musters, and for other purposes; and,

A Bill to diminish the duties and reduce the salary of the Adjutant and Inspector General.

A Bill to incorporate the Carolina Mutual Insurance Company of Charleston; was read the second time and was ordered to be sent to the Senate.

A Bill to alter and amend the Free School Laws of this State, was ordered to *lie on the Table*.

A Bill to alter and amend the Free School Laws of this State, was called for a second reading.

Mr. McGOWAN moved that it be made the special order of the day for the first Wednesday after the first Tuesday in December next, at 1 o'clock, P. M. And the question being put, "Will the House agree thereto?" it was decided in the negative.

Yeas, 44—Nays, 55.

Those who voted in the affirmative are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Beaty,

Bradley,

Broyles,

Burt,

Cash,

Cruikshank,

Duncan,

Durant,

Elliott,

Flagg,

Gadsden,

Hampton,

Hunt,

Hutson,

W. R. Johnson,

Lesesne,

McBee,

Messrs. McCrady,

McGowan,

Middleton,

Mitchell,

Moorer,

Morgan,

Munro,

Murray,

O'Bryan,

B. F. Perry,

J. B. Perry,

Porcher,

Read,

Rice,

Rosborough,

Seigling,

Stokes,

Messrs. Thornwell,  
Torre,  
Trenholm,  
Tucker,  
Vance,

Messrs. Walker,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative are,

Messrs. Alexander,  
Allen,  
Anderson,  
Ashmore,  
Bailey,  
Bates,  
Blakeney,  
Blum,  
Boykin,  
Boylston,  
Brown,  
Byrd,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Christie,  
Clawson,  
Crosson,  
Cureton,  
Ellis,  
Ervin,  
Fox,  
Gadberry,  
Garlington,  
Green,  
Hammond,  
Harrison,

Messrs. Hearst,  
Hope,  
Hudgens,  
Tillman Ingram,  
Jordan,  
Kershaw,  
Lawton,  
Leitner,  
Manigault,  
Melton,  
Mobley,  
Mullins,  
Owens,  
Patterson,  
Pickens,  
Pitts,  
Poppenheim,  
Sloan,  
Springs,  
Steele,]  
Sullivan,  
Thomson,  
Tillinghast,  
Trotti,  
Wallace,  
Williams, and  
Winsmith.

The Bill was then read the second time and was ordered to be sent to the Senate.

A Bill to appropriate the sum of \$3,500 for the erection of a suitable



building for the education of the deaf and dumb of this State, at Cedar Springs, in Spartanburg District; and,

A Bill to exempt Robert Hopton, a free person of color, from capitation tax; were read the second time and were ordered to be sent to the Senate.

A Bill to establish Boards of Direction for Common Schools and for other purposes, was called for a second reading; and,

On motion of Mr. TUCKER, was made the special order of the day for the first Friday after the fourth Monday in November next at 1 o'clock, P. M.

A Bill to authorize the State to aid in the construction of the North Eastern Rail Road, was called for a second reading, and progress having been made thereon.

Under the order of the House, business was suspended at 4 o'clock, P. M., until 6 o'clock, P. M.

#### RECESS.

When the SPEAKER took the Chair, on motion of Mr. WAGNER, the debate on A Bill to authorize the State to afford aid in the construction of the North Eastern Rail Road was suspended, when,

Mr. WAGNER, from the Special Committee on the State House and Grounds, made a report on the report of the Commissioners of the Fire Proof Building; which was ordered for consideration immediately, and was agreed to, and was ordered to be sent to the Senate for concurrence.

The House then resumed the consideration of the

#### GENERAL ORDERS.

The reading of the Bill to authorize the State to aid in the construction of the North Eastern Rail Road, and the debate thereon was resumed. The Bill was then ordered to be sent to the Senate.

A Bill to release from pledge the Rail Road shares belonging to the State; was read the second time, and was ordered to be sent to the Senate.

A Bill from the Senate to renew the charter of the Planters' and Mechanics' Bank, of South Carolina, was read a second time.

Mr. HUNT moved to amend the Bill, by adding thereto, among other sections, the following:—Section 8. Be it further enacted, that two Banks are hereby incorporated, to be named and known as follows: One to be known as the Exchange Bank of Columbia, with a capital of five hundred thousand dollars; one at Charleston to be known as the Farmers' and Exchange Bank of Charleston, with a capital of one million of dol-

lars. which shall have and possess the same rights and privileges, and be subject to the same duties, liabilities and obligations, herein provided for the said Planters' and Mechanics' Bank, and Union Bank, and Commercial Bank.

Mr. CAMPBELL moved to amend the amendment, by striking out the word two, and inserting "eight;" and inserting, after the words "one million of dollars," the following:—"One at Chester, to be styled the Bank of Chester, South Carolina, with a capital of five hundred thousand dollars; one at Newberry, to be styled the Bank of Newberry, South Carolina, with a capital of \$200,000; one at Wirnsboro', to be styled the Planters' Bank of Fairfield, with a capital of \$200,000; one at Anderson, to be styled the Western Bank of South Carolina, with a capital of \$200,000; one at Sumterville, to be styled the Bank of Sumterville, with a capital of \$300,000; and one at Charleston, to be styled the People's Bank of South Carolina, with a capital of one million of dollars."

Mr. BURT moved to lay the amendment to the amendment on the table; and the question being put—Will the House agree thereto?—it was decided in the negative.

Yeas, 41—Nays, 59.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

|                 |                 |
|-----------------|-----------------|
| Messrs. Allen,  | Messrs. Fox,    |
| Anderson,       | Gourdin,        |
| Bailey,         | Hammond,        |
| Beaty,          | Hearst,         |
| Blakeney,       | Hope,           |
| Boykin,         | Hudgens,        |
| Bradley,        | B. J. Johnson,  |
| Burt,           | W. R. Johnnton, |
| R. E. Campbell, | Keitt,          |
| Cash,           | Leitner,        |
| Charles,        | McKnight,       |
| Christie,       | Mobley,         |
| Dantzler,       | Moorer,         |
| Durant,         | Mullins,        |
| Flagg,          | Munro,          |

Messrs. Murray,  
Owens,  
B. F. Perry,  
Rice,  
Springs,  
Sullivan,

Messrs. Thornwell,  
Torre,  
Wagner,  
Wescoat, and  
Williams.

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker ; and

Messrs. Alexander,  
Ashmore,  
Bates,  
Blum,  
Boylston,  
Brown,  
Broyles,  
J. B. Campbell,  
Cauthen,  
Clarke,  
Clawson,  
Crosson,  
Cruikshank,  
Cureton,  
Duncan,  
Elliott,  
Ellis,  
Gadberry,  
Garlington,  
Hampton,  
Hunt,  
Hutson,  
Tillman Ingram,  
Jordan,  
Kershaw,  
Lanneau,  
Lawton,  
Lessesne,  
McBee,

Messrs. McCrady,  
McGowan,  
Manigault,  
Maybin,  
Melton.  
Middleton,  
Mitchell,  
Morgan,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Reynolds,  
Rosborough,  
Seigling,  
Shedd,  
Sinkler,  
Sloan,  
Steele,  
Stokes,  
Thomson,  
Tillinghast,  
Tradewell,  
Trenholm,  
Trotti,  
Tucker,  
Wallace,  
Winsmith, and  
Witherspoon.

The amendment to the amendment was then agreed to by the House.

The question being put, will the House agree to the amendment as amended? it was decided in the affirmative.

Mr. SULLIVAN moved as an amendment to the Bill, the following additional section:

*"Provided, also, that this Act shall be limited in its operation to the term of fourteen years."*

Mr. DANTZLER moved to lay the amendment on the table, and the question being put, will the House agree thereto? it passed in the affirmative.

Yeas, 64—Nays, 33.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker; and

Messrs. Ashmore,

Bates,

Blakeney,

Blum,

Boykin,

Bradley,

Broyles,

J. B. Campbell,

Christie,

Cruikshank,

Dantzler,

Duncan,

Elliott,

Flagg,

Fox,

Gadberry,

Gadsden,

Gourdin,

Hammond,

Hampton,

Howell,

Hutson,

B. J. Johnson,

Keitt,

King,

Messrs. Lanneau,

Lawton,

Lesesne,

McBee,

McCrary,

McGowan,

Manigault,

Middleton,

Mitchell,

Mobley,

Moorer,

Morgan,

Murray,

O'Bryan,

Owens,

Patterson,

B. F. Perry,

J. B. Perry,

Pickens,

Pitts,

Poppenheim,

Porcher,

Read,

Reynolds,

Rice,

Messrs. Rosborough,  
Siegling,  
Sinkler,  
Springs,  
Thornwell,  
Tradewell,  
Trenholm,

Messrs. Trotti,  
Tucker,  
Vance,  
Weatherly,  
Wescoat, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Alexander,  
Anderson,  
Bailey,  
Beaty,  
Bolyston,  
Brown,  
R. E. Campbell,  
Cauthen,  
Clarke,  
Clawson,  
Crosson,  
Cureton,  
Durant,  
Ellis,  
Ervin,  
Garlington,  
Hearst,

Messrs. Hope,  
Hudgens,  
Hunt,  
Tillman Ingram,  
W. R. Johnson,  
Jordan,  
Kershrow,  
Leitner,  
Melton,  
Shedd,  
Sloan,  
Sullivan,  
Torre,  
Wallace,  
Williams, and  
Winsmith.

The title of the Bill, on motion of Mr. MIDDLETON, was then changed so as to read, "A Bill to re-charter the Planters' and Mechanics' Bank of South Carolina, the Union Bank of South Carolina, the Commercial Bank of Columbia, South Carolina, and to incorporate the Exchange Bank of Columbia, the Farmers' and Exchange Bank and the Peoples' Bank of Charleston, the Bank of Newberry, the Bank of Chester, the Bank of Sumterville, the Planters' Bank of Fairfield, and the Western Bank of South Carolina at Anderson," and the question being put, shall the Bill be sent to the Senate? it passed in the affirmative.

Yeas, 71—Nays, 35.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker ; and

|                    |                  |
|--------------------|------------------|
| Messrs. Alexander, | Messrs. McGowan, |
| Ashmore,           | McKnight,        |
| Blum,              | Manigault,       |
| Boylston,          | Maybin,          |
| Brown,             | Melton,          |
| Broyles,           | Morgan,          |
| Byrd,              | Munro,           |
| J. B. Campbell,    | Murray,          |
| Carwile,           | O'Bryan,         |
| Cash,              | Patterson.       |
| Cauthen,           | J. B. Perry,     |
| Charles,           | Pickens,         |
| Clarke,            | Pitts,           |
| Clawson,           | Poppenheim,      |
| Cruikshank,        | Read,            |
| Cureton,           | Reynolds,        |
| Duncan,            | Seigling,        |
| Elliott,           | Shedd,           |
| Flagg,             | Sloan,           |
| Gadberry,          | Springs,         |
| Gadsden,           | Steele,          |
| Hampton,           | Stokes,          |
| Hearst,            | Thomson.         |
| Howell,            | Thornwell,       |
| Hunt,              | Tillinghast,     |
| Hutson,            | Trenholm,        |
| Tilman Ingram,     | Tucker,          |
| Jordan,            | Vance,           |
| Kershaw,           | Wagner,          |
| Lanneau,           | Walker,          |
| Lawton,            | Wallace,         |
| Leitner,           | Weatherly,       |
| Lesesne,           | Wescoat,         |
| McBee,             | Williams, and    |
| McCrady,           | Witherspoon,     |

Those who voted in the negative, are

Messrs. Allen,  
 Anderson,  
 Bailey,  
 Beaty,  
 Blakeney,  
 Boykin,  
 Bradley,  
 Burt,  
 R. E. Campbell,  
 Christie,  
 Crosson,  
 Dantzler,  
 Durant,  
 Ervin,  
 Fox,  
 Garlington,  
 Gourdin,  
 Hammond,

Messrs. Harrison,  
 Hope,  
 Hudgens,  
 B. J. Johnson,  
 W. R. Johnson,  
 Keitt,  
 Mitchell,  
 Mobley,  
 Moorer,  
 Mullins,  
 Owens,  
 B. F. Perry,  
 Porcher,  
 Rice,  
 Sullivan,  
 Trotti, and  
 Winsmith.

The Bill was then ordered to be returned to the Senate.

Mr. LAWTON moved that A Bill to raise supplies for the year commencing October, one thousand eight hundred and fifty-two, be called for a second reading; and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 45—Nays, 60.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker; and

Messrs. Alexander,  
 Allen,  
 Bailey,  
 Beaty,  
 Blum,  
 Byrd,  
 Carwile,  
 Cauthen,  
 Clawson,  
 Crosson,

Messrs. Cureton,  
 Dantzler,  
 Duncan,  
 Durant,  
 Flagg,  
 Gadsden,  
 Hearst,  
 B. J. Johnson,  
 W. R. Johnson,  
 Jordan,

Messrs. Keitt,  
Lawton,  
Lesesne,  
McBee,  
McGowan,  
Mobley,  
Moorer,  
Morgan,  
Nullins,  
Murray,  
Patterson,  
B. F. Perry,

Messrs. J. B. Perry,  
Pickens,  
Poppenheim,  
Read,  
Rice,  
Sinkler,  
Stokes,  
Thomson,  
Tillinghast,  
Vance,  
Walker, and  
Wescoat.

Those who voted in the negative, are

Messrs. Anderson,  
Ashmore,  
Blakeney,  
Boykin,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Burt,  
J. B. Campbell,  
R. E. Campbell,  
Cash,  
Charles,  
Clarke,  
Cruikshank,  
Elliott,  
Ellis,  
Ervin,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Hampton,  
Harrison,  
Hope,

Messrs. Howell,  
Hunt,  
Hutson,  
Tillman Ingram,  
Kershaw,  
Lanneau,  
Leitner,  
McCrady,  
McKnight,  
Manigault,  
Maybin,  
Melton,  
Middleton,  
Mitchell,  
Munro,  
O'Bryan,  
Owens,  
Pitts,  
Porcher,  
Reynolds,  
Seigling,  
Shedd,  
Sloan,  
Springs,  
Steele,



Messrs. Sullivan,  
 Thornwell,  
 Trotti,  
 Tucker,  
 Wallace,

Messrs. Wagner,  
 Weatherly,  
 Willaims,  
 Winsmith, and  
 Witherspoon.

A Bill to establish certain roads, bridges and ferries, and to amend the laws respecting Commissioners of roads in certain particulars ;

A Bill to alter and arrange the times of the sittings of the Courts of Equity on the Fifth Circuit ; and

A Bill to amend the charters of certain towns and villages heretofore incorporated ; were read the second time and ordered to be sent to the Senate.

On motion of Mr. MIDDLETON, the House was adjourned at 10 minutes past 11 o'clock, P. M.

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TUESDAY, DECEMBER 14, 1852.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

On motion of Mr. KING, leave of absence was granted to Mr. B. J. Johnson ; and,

On motion of Mr. OWENS, leave of absence was granted to Mr. Bailey, for the remainder of the session.

The Senate returned to this House,

An Act to vest the right, title and interest of the State in the personal estate of Daniel McGill, deceased, in Catharine McDonald wife of Donald D. McDonald ;

An Act to amend An Act entitled An Act to incorporate the Commercial Insurance Company ;

An Act to incorporate the Beaufort Female Seminary ;

An Act to incorporate the Columbia and Beaufort Loan and Building Association ;

An Act to alter and amend an Act, entitled an Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road, which were severally committed to the Committee on Engrossed Acts.

The following Messages were received from the Senate:

IN THE SENATE, December 13, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate concurs in the proposal of your House to unite with your House in a joint ballot for President and Directors of the Bank of the State of South Carolina on Wednesday next, at 12 o'clock, M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

IN THE SENATE, December 13, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives ;*

Senate grants leave to your House to amend the report of the Committee on Claims and Grievances of Senate, by striking out the charge of \$9, allowed the Charleston Mercury for publishing the presentment of the Grand Jury, the Senate having consented that the proprietor of that paper have leave to withdraw that item of his account from farther consideration at the present session of the Legislature.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate returned a Bill to extend the charter of the Bank of the State of South Carolina, which was read the third time,

*Resolved*, That the Bill do pass—that the title thereof be changed—that it be called an Act.

*Ordered*, That it be sent to the Senate.

The following Message was received from the Senate :

IN THE SENATE, December 13, 1852.

*Mr. Speaker and Gentlemen of the**House of Representatives ;*

Senate asks leave of your House to amend the Bill of your House concerning derelict estates and the partition and sale of real estate by the Ordinary, by striking out all after the enacting clause of the Bill and inserting the following words, " That the 7th section of the Act of 1839, entitled an Act concerning the office and duties of Ordinary, and all other Acts and parts of Acts authorizing the Ordinary to take charge of and administer derelict estates, be, and the same are hereby repealed, and also, further to amend the title of the Bill, so that it will read as follows: 'A Bill to repeal all Acts and parts of Acts, authorizing Ordinaries to take charge of and administer derelict estates, which amendment was made by

Senate on the second reading of the Bill, and was disagreed to by your House on the third reading.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. OWENS moved that the House grant leave to amend; and the question being put, Will the House agree thereto? it passed in the affirmative, and an answer was returned accordingly.

Yeas, 55—Nays, 40.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker; and,

Messrs. Allen,	Messrs. McBee,
Ashmore,	McKnight,
Bates,	Maybin,
Beaty,	Middleton,
Boykin,	Mitchell,
Bradley,	Mobley,
Burt,	Moorer,
Byrd,	Morgan,
Carwile,	Murray,
Cauthen,	O'Brian,
Christie,	Owens,
Clawson,	Patterson,
Cureton,	B. F. Perry,
Dantzler,	Pickens,
Duncan,	Pitts,
Durant,	Poppenheim,
Ervin,	Read,
Flagg,	Rice,
Gadberry,	Rosborough,
Gadsden,	Seigling,
Hammond,	Stokes,
Harrison,	Tucker,
Hearst,	Vance,
W. R. Johnson,	Walker,
King,	Williams, and
Lawton,	Winsmith.
Leitner,	

Those who voted in the negative, are

Messrs. Alexander,	Messrs. Hutson,
Anderson,	J. I. Ingram,
Blum,	Lanneau,
Boylston,	Lesesne,
Brown,	McCraday,
Broyles,	Manigault,
J. B. Campbell,	Melton,
Cash,	Mullins,
Clarke,	Munro,
Crosson,	J. B. Perry,
Cruikshank,	Shedd,
Ellis,	Springs,
Fox,	Steele,
Garlington,	Sullivan,
Gourdin,	Thornwell,
Hampton,	Trenholm,
Hope,	Trotti,
Howell,	Wallace,
Hudgens,	Weatherly, and
Hunt,	Witherspoon.

The Senate sent to this House for concurrence,

Reports of the Committee on College, Education and Religion,

On the presentment of the Grand Jury of Abbeville District, recommending a fixed rate of tuition in Free School fund ; and,

On the presentment of the Grand Jury of Charleston ; which were severally referred to the Committee on Education.

Report of the Committee on Claims and Grievances, on the account of the Clerk of the Senate for stationary furnished the Senate ; which was referred to the Committee on Claims.

Report of the Committee on Roads and Buildings, on the petition of the Commissioners of Public Buildings for Marion District ; which was referred to the Committee on Public Buildings ; and,

The report of the Committee on Agriculture and Internal Improvements, on the report of the President of the Cheraw and Anson Plank Road Company ; which was referred to the Committee on Internal Improvements.

Mr. HUTSON, from the Committee on the Judiciary, made reports,

On the petition of sundry citizens of York, praying the repeal of the Act commonly called the Homestead Law ;

On the petition of Annette Elliott and others ;

On a Bill from the Senate to confer on Mark and Isaac Iseman, certain rights and privileges in relation to a piece of land by them purchased ; and,

On a Bill from the Senate to confer on Joseph Frank certain rights and privileges in relation to a piece of land by him purchased ; which were severally ordered for consideration to-morrow.

Mr. HUTSON, from the same Committee, made a report on the petition of sundry citizens of Edgefield District, praying a division into two Judicial Districts ; which was ordered for consideration immediately, and was agreed to ; and,

Mr. ALLEN obtained leave to withdraw the petition.

Mr. SULLIVAN, from the Committee on Education, made reports,

On the petition of Daniel Mahony ;

On the petition of the Commissioners of Free Schools of Columbia ;

On the report of the Commissioners of the Deaf and Dumb, on their expenditures ; which were severally ordered for consideration to-morrow.

Mr. SLOAN, from the Committee on Privileges and Elections, made reports,

On the petition of sundry citizens of York, praying a change in the day of Election ; and

On the presentment of the Grand Jury of Colleton, concerning the practice of treating at elections ; which were severally ordered for consideration to-morrow.

Mr. VANCE, from the Committee on Internal Improvement, made a report on a Bill to amend the charter of the Wilmington and Manchester Rail Road Company ; which was ordered for consideration to-morrow.

Mr. TORRE submitted the following Resolution, which was ordered to be considered immediately ; was agreed to, and was ordered to be sent to the Senate for concurrence :

*Resolved*, That it shall be the duty of the Comptroller General hereafter, to classify the vouchers which accompany his Annual Report, so as to exhibit them under the same division as are employed in stating the amounts paid out at the two Treasuries respectively.

The Senate sent to this House a Bill to make appropriations for the year, commencing one thousand eight hundred and fifty-two ; which was read the third time.

*Resolved*, That the Bill do pass ; that the title thereof be changed ; that it be called an Act.

*Ordered*, That it be sent to the Senate.

The following message was received from the Senate; was concurred in and an answer returned.

IN THE SENATE, Dec. 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate proposes to your House to rescind the joint Resolution, naming Wednesday as the day of adjournment, and to fix Thursday, 9 o'clock, P. M., as the time of adjournment.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. HAMPTON moved to take up the Resolution to rescind the 52nd rule of this House for the remainder of the session.

Mr. SEIGLING moved to amend the Resolution, so as to allow Bills to be read on the day of adjournment, until 4 o'clock, P. M., of that day.

Mr. BOYLSTON moved to amend the amendment by striking out "4" and inserting "2."

On motion of Mr. OWENS, the Resolution and its proposed amendments were ordered to *lie on the Table*.

Mr. LEITNER, from the Committee on Internal Improvements, made a report on the various memorials asking a disposition of the public works of this State; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate.

Mr. ASHMORE, from the Committee on Claims, made a report on the account of the Clerk of the Senate; which was ordered for consideration to-morrow.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to incorporate certain Religious and Charitable Societies and Societies for the advancement of Education,

A Bill to incorporate certain Societies, Associations and Companies, and for the re-charter of others, were read the second time and ordered to be sent to the Senate.

Mr. GADBERRY, from the Committee on the Military, to whom was referred the report of the Senate Committee on the petition of Oliver Towles, made a report, and submitted a Resolution which were ordered

to be considered immediately, and were agreed to. "That the resolution submitted by the Senate Committee be stricken out, and that the following be inserted :

*Resolved*, That the claim of the heirs of Jane Towles for seven years' half pay of her husband, Oliver Towles, who was a Captain in the 3d Continental Regiment, South Carolina line, and killed in the service, appears to be equitable and just ; that the same has never been audited or paid by the State on account of the United States under the Resolution of Congress, 1780 ; and it is therefore recommended that Congress make provision for the payment of the same."

On motion of Mr. GADBERRY, a message was sent to the Senate asking leave to make the amendment proposed by the Committee, and the following Message were received from the Senate :

IN THE SENATE, December 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate grants leave to your House to amend the report of the Committee on the Military and Pensions, on the petition of Oliver Towles, praying that certain claims may be audited, by striking out the resolution accompanying the report and inserting the following Resolution :

That the claim of the heirs of Jane Towles, for seven years' half pay, of her husband Oliver Towles, who was a Captain in the 3d Continental Regiment, South Carolina line, and killed in the service, appears to be equitable and just ; that the same has never been audited or paid by this State on account of the United States under the Resolution of Congress of 1780 ; and it is therefore recommended that Congress make provision for the same.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The report of the Committee on Privileges and Elections on the Communication of Mr. John C. Allen, a member from Edgefield, was considered and agreed to.

On motion of Mr. MIDDLETON it was ordered that the Speaker do issue to Mr. Allen, member from Edgefield, whose seat has just been declared vacant, a pay bill for his mileage and per diem for the number of days he has served in this House.

On motion of Mr. HUTSON, it was ordered that a message be sent to the Senate requesting assent of that body to the entry, at large, in the printed Reports and Resolutions of this General Assembly, the report of

the Committee on Privileges and Elections on the communication of Mr. John C. Allen.

A Bill to raise supplies for the year commencing October, one thousand eight hundred and fifty-two, was being read the second time, when

Mr. ASHMORE moved to amend the first section of the Bill by the following words, "Sixty-five cents upon every hundred dollars' worth of goods, wares and merchandize, embracing all the articles of trade for sale, barter or exchange, [the products of this State and the manufactured products of the United States or the Territories thereof excepted,] which any person shall use or employ as articles of trade, sale, barter or exchange, or have in his her or their possession on the first day of January, in the year of our Lord, one thousand eight hundred and fifty three."

Mr. BURT moved to lay the amendment upon the table, and the question being put, will the House agree thereto? it was decided in the negative.

Yeas, 51—Nays, 53.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker; and

Messrs. Alexander,

Beaty,

Blakely,

Boykin,

Bradley,

Brown,

Burt,

Byrd,

Cash,

Cauthen,

Clarke,

Duncan,

Durant,

Ervin,

Gadsden,

Hearst,

Hutson,

B. J. Johnson,

W. R. Johnson,

Messrs. Keitt,

Kershaw,

Leitner,

Lesesne,

McBee,

McGowan,

McKnight,

Manigault,

Middleton,

Moorer,

Morgan,

Munro,

Murray,

B. F. Perry,

Pickens,

Poppenheim,

Rice,

Rosborough,

Sloan,



Messrs. Springs,  
Thompson,  
Thornwell,  
Tradewell,  
Trenholm,  
Tucker,

Messrs. Vance,  
Walker,  
Wallace,  
Weatherly,  
Williams, and  
Wisemith.

Those who voted in the negative, are

Messrs. Anderson,  
Ashmore,  
Bailey,  
Bates,  
Boylston,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Christie,  
Crosson,  
Cruikshank,  
Cureton,  
Dantzler,  
Elliott,  
Elagg,  
Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Green,  
Hammond,  
Hampton,  
Harrison,  
Hope,  
Howell,  
Hudgens,  
Hunt,

Messrs. J. I. Ingram,  
Jordan,  
Lanneau,  
Lawton,  
McCrady,  
Melton,  
Mitchell,  
Mobley,  
Mullins,  
Owens,  
Patterson,  
Pitts,  
Porcher,  
Read,  
Reynolds,  
Shedd,  
Sinkler,  
Stokes,  
Steele,  
Sullivan,  
Tillinghast,  
Torre,  
Trotti,  
Wagner,  
Wescoat and  
Witherspoon.

The question then recurred on Mr. Ashmore's amendment, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas, 44—Nays, 65.

Those who voted in the affirmative, are

Messrs. Anderson,  
 Ashmore,  
 Bates,  
 Blum,  
 J. B. Campbell,  
 R. E. Campbell,  
 Carwile,  
 Charles,  
 Crosson,  
 Dantzler,  
 Elliott,  
 Flagg,  
 Fox,  
 Garlington,  
 Green,  
 Hammond,  
 Hampton,  
 Harrison,  
 Hope,  
 Howell,  
 Hudgens,  
 J. I. Ingram,

Messrs. King,  
 Lanneau,  
 Lawton,  
 Mitchell,  
 Mobley,  
 O'Bryan,  
 Owens,  
 Patterson,  
 Pitts,  
 Porcher,  
 Read,  
 Reynolds,  
 Seigling,  
 Sinkler,  
 Stokes,  
 Sullivan,  
 Tillinghast,  
 Torre,  
 Trotti,  
 Wagner, and  
 Westcoat.

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker: and

Messrs. Alexander,  
 Bailey,  
 Beaty,  
 Blakeney,  
 Boykin,  
 Boylston,  
 Bradley,  
 Brown,  
 Broyles,  
 Burt,  
 Byrd,  
 Cash,  
 Cauthen,

Messrs. Clarke,  
 Clawson,  
 Cruikshank,  
 Cureton,  
 Duncan,  
 Durant,  
 Ellis,  
 Ervin,  
 Gadberry,  
 Gourdin,  
 Hearst,  
 Hunt,  
 Hutson,

Messrs. Tilman

Ingram,

B. J. Johnson,

W. R. Johnson,

Jordan,

Kershaw,

Leitner,

Lesesne,

McBee,

McCrary,

McGowan,

McKnight,

Manigault,

Melton,

Middleton,

Morgan,

Mullins,

Munro,

Murray,

B. F. Perry,

Messrs. J. B. Perry.

Pickens,

Poppenheim,

Rice,

Rosborough,

Shedd,

Sloan,

Springs,

Steele,

Thompson,

Thornwell,

Tradewell,

Trenholm,

Tucker,

Vance,

Wallace,

Weatherly,

Williams,

Winsmith, and

Witherspoon.

The Bill was then read the second time, and was ordered to be sent to the Senate.

The Senate returned to the House an Act to repeal all Acts and parts of Acts authorizing the ordinary to take possession of, and administer Derelict Estates, and an Act to Extend the Charter of the Bank of the State of South Carolina ; which were committed to the committee on Engrossed Acts.

The following Message was received from the Senate :

IN THE SENATE, December 14th, 1852.

*Mr. Speaker, and Gentlemen of the*

*House of Representatives :*

The Senate asks leave of your House to amend the report of the Committee on Public Buildings on the petition of the Commissioners of Public Buildings, for Richland District, by adding the following proviso :

*Provided*, No application shall hereafter be made to this Legislature for an appropriation to erect, or to assist in erecting the new jail proposed and referred to in the said petition.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

A Bill from the Senate to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree River, was called for a second reading, and progress having been made thereon, under the order of the House, business was suspended at 4 o'clock, P. M., until 6 o'clock, P. M.

## RECESS.

The SPEAKER resumed the chair.

The reading of a Bill from the Senate to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree River, was continued.

Mr. TUCKER moved to amend the Bill by adding the following proviso :

*Provided*, The said South Carolina Rail Road Company do transport merchandize and other articles of freight at the same rates, and with equal promptness, from Charleston to Columbia, as it does from Charleston to Hamburg.

Mr. RICE moved to lay the amendment on the table ; and the question being put, Will the House agree thereto ? it was passed in the affirmative.

Yeas, 57—Nays, 44.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker; and,

Messrs. Beaty,	Messrs. Hampton,
Blakeney,	Howell,
Blum,	Hudgens,
Boykin,	Hunt,
Bradley,	Hutson,
Burt,	B. J. Johnson,
Cash,	Jordan,
Cruikshank,	Keitt,
Duncan,	Kershaw,
Durant,	King,
Elliott,	Lanneau,
Flagg,	Lawton,
Fox,	Lesesne,
Gourdin,	McBee,
Hammond,	McCrady,

**Messrs.** McKnight,  
Manigault,  
Mitchell,  
Morgan,  
Mullins,  
Munro,  
Owens,  
O'Bryan,  
B. F. Perry,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,

**Messrs.** Rice,  
Seigling,  
Sloan,  
Stokes,  
Sullivan,  
Thornwell,  
Tillinghast,  
Torre,  
Tradewell,  
Trenholm,  
Trotti,  
Weatherly, and  
Witherspoon.

Those who voted in the negative, are

**Messrs.** Anderson,  
Ashmore,  
Bates,  
Boylston,  
Brown,  
Broyles,  
Byrd,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Christie,  
Clarke,  
Clawson,  
Crosson,  
Dantzler,  
Ellis,  
Ervin,  
Gadberry,  
Garlington,  
Green,  
Hearst,

**Messrs.** Hope,  
J. I. Ingram,  
W. R. Johnson,  
Leitner,  
McGowan,  
Maybin,  
Melton,  
Middleton,  
Mobley,  
Moorer,  
Murray,  
J. B. Perry,  
Pickens,  
Pitts,  
Rosborough,  
Springs,  
Steele,  
Thomson,  
Tucker,  
Wallace,  
Williams, and  
Winsmith.

The Bill was then ordered to be sent to the Senate.

A Bill to authorize the State to aid in the construction of the Pendleton Rail Road, was read the second time.

On motion of Mr. MIDDLETON, its title was amended so as to read, "A Bill to authorize aid in the construction of the Pendleton Rail Road;" and the Bill was then ordered to be sent to the Senate.

A Bill to authorize the State to afford aid in constructing the Pendleton Rail Road ; and,

A Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road ; were ordered to *lie on the Table*.

A Bill to provide for the formation of the Savannah River Valley Rail Road Company ; was read the second time, and was ordered to be sent to the Senate.

A Bill to authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road was read the second time.

On motion of Mr. MIDDLETON, the title was amended by striking out the words, "State to grant;" and the Bill was then ordered to be sent to the Senate.

A Bill from the Senate to incorporate the Blue Ridge Rail Road Company in South Carolina ; was read the second time.

Mr. B. F. PERRY submitted the following amendment, as an additional section of the Bill :

Sec. 13. That the faith and funds of the State of South Carolina be, and the same are hereby, pledged to secure the punctual payment of any contract which shall be made for borrowing money by the "Blue Ridge Rail Road Company in South Carolina," from any person or persons, company or companies, corporation or corporations, to any amount not exceeding one million two hundred and fifty thousand dollars, either in the United States or in Europe; and when such contracts shall be made by bond or bonds, signed by the President of the said Company, under its seal, and countersigned by the Secretary or Treasurer thereof, it shall be the duty of the Comptroller General of this State to endorse thereon, that the faith and funds of the State of South Carolina are pledged to the faithful performance of the said contract or contracts, as it respects the punctual payment, both of the principal and the interest, according to the terms of the said contract or contracts. *Provided*, that the interest to be made payable thereon shall not exceed six per cent per annum, in quarterly or half yearly payments; and, provided also, that the Comptroller General shall not endorse any such contract or contracts, until satisfactory proof is produced to the Governor of the State or the Comptroller Gene-

ral, that five hundred thousand dollars are duly subscribed by responsible persons, companies or corporations, to the capital stock of the said "Blue Ridge Rail Road Company in South Carolina;" and, provided further, that such endorsement shall not be made until the Governor or Comptroller General shall have satisfactory proof that such subscriptions have been made, or aid furnished to other Rail Road Companies in North Carolina and Tennessee, designed to connect the said Blue Ridge Rail Road with the "Georgia and East Tennessee Rail Road," as shall give reasonable assurance of the construction of the said North Carolina and Tennessee Rail Roads.

Sec. 14. That as soon as the Comptroller General shall have made any such endorsement on any such contract, the whole estate, property and funds within the State, which the said Company may then possess, or shall afterwards acquire, shall thenceforth stand pledged and mortgaged to the State, without any further act or deed on the part of the Company, for the faithful and punctual performance on the part of the said Company of such contract, in priority and preference of any other debt which the said Company may then or at any other time owe; *Provided*, that nothing herein contained shall be construed to prevent the said "Blue Ridge Rail Road Company in South Carolina," from applying the proceeds of the loan so made by them, and the instalments which may be called for and paid in, on the stock of the Company, for the purpose of constructing, equipping, and working the Road, and for no other purpose except to pay the interest on the said loan or loans, and the ultimate extinguishment of the principle thereof. And, provided further, that so long as no part of the principal of the debt of the Company, under the contracts aforesaid, shall be due and unpaid, it shall be lawful for the Company to divide among its stockholders its surplus nett income, after payment of the interest due upon its debts.

The debate thereon was suspended, and

The following message was received from the Senate :

IN THE SENATE, December, 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the Bill to make appropriations for the year commencing October 1852, by striking out the following words, " for pay and mileage of the Electors of President and Vice President of the United States, at the late election, two hundred dollars, if so much be necessary," and also by striking out the following, " for print-

ing and distributing tax returns, twelve hundred dollars, if so much be necessary." "For copying Tax Books, two hundred dollars;" and also further to amend by adding the following, "office rent of L. J. Jones, Commissioner in Equity, for Newberry District, one hundred and twenty-five dollars." "For office rent of James Bonds, Sheriff of Newberry District, one hundred and eighty-three dollars and thirty-three cents." "For office rent of B. J. Ramage, Clerk of the Court of Newberry District, one hundred and fifty dollars." "For office rent of E. P. Lake, Ordinary of Newberry District, ninety-seven dollars and fifty cents."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. MIDDLETON, leave was granted to the Senate so to amend, and an answer was returned accordingly.

The House resumed the debate on the amendment submitted by Mr. PERRY.

Mr. GADBERRY moved to lay the amendment on the Table, and the question being put, "Will the House agree thereto?"

The Yeas and Nays were requested and are as follows:

Yeas 35—Nays 60.

Those who voted in the affirmative, are

Messrs. Bates,

Beaty,

Boykin,

Boylston,

Byrd,

Christie,

Clawson,

Cureton,

Dantzler,

Durant,

Ellis,

Flagg,

Fox,

Gadberry,

Hope,

Hudgens,

Hutson,

Tilman Ingram,

Messrs. W. R. Johnson,

Keitt,

Lawton,

Manigault,

Mobley,

Mullins,

Munro,

Owens,

Rice,

Rosborough,

Shedd,

Stokes,

Thornwell,

Tillinghast,

Trotti,

Wallace, and

Winsmith.



Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker: and

Messrs. Alexander,

Anderson,

Ashmore,

Blum,

Bradley,

Brown,

Broyles,

Burt,

J. B. Campbell,

R. E. Campbell,

Cash,

Clarke,

Crosson,

Cruikshank,

Duncan,

Elliott,

Garlington,

Gourdin,

Hammond,

Harrison,

Hearst,

Howell,

Hunt,

J. I. Ingram,

B. J. Johnson,

Jordan,

Kershaw,

King,

Lanneau,

Leitner,

Messrs. Lesesne,

McBee,

McCrary,

McGowan,

Maybin,

Middleton,

Mitchell,

Morgan,

Murray,

B. F. Perry,

Pickens,

Pitts,

Poppenheim,

Porcher,

Read,

Reynolds,

Seigling,

Sinkler,

Sloan,

Springs,

Steele,

Sullivan,

Thomson,

Torre,

Tradewell,

Trenholm,

Vance,

Wagner, and

Witherspoon.

Mr. HUTSON moved the indefinite postponement of the amendment, and the question being put, "Will the House agree thereto?" it was decided in the negative.

Yeas 32—Nays 57.

The Yeas and Nays were requested and are as follows:

Those who voted in the affirmative, are

Messrs. Bates,	Messrs. J. I. Ingram,
Beaty,	Tillman Ingram,
Boykin,	W. R. Johnston,
Boylston,	Keitt,
Christie,	McKnight,
Clarke,	Mobley,
Clawson,	Mullins,
Cureton,	Munro,
Danzler,	Owens,
Durant,	Rosborough,
Flagg,	Stokes,
Fox,	Thornwell,
Gadberry,	Tillinghast,
Hope,	Trotti,
Hudgens,	Wallace, and
Hutson,	Winsmith.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker; and

Messrs. Alexander,	Messrs. Howell,
Anderson,	Hunt,
Ashmore,	B. J. Johnson,
Blum,	Jordan,
Bradley,	Kershaw,
Brown,	King,
Broyles,	Lanneau,
Burt,	Lawton,
J. B. Campbell,	Leitner,
R. E. Campbell,	Lesesne,
Cash,	McBee,
Crosson,	McCrary,
Cruikshank,	McGowan,
Duncan,	Middleton,
Elliott,	Mitchell
Garlington,	Morgan,
Gourdin,	B. F. Perry,
Hammond,	Pickens,
Harrison,	Pitts,
Hearst,	Poppenheim,

Messrs. Porcher,  
Read,  
Reynolds,  
Rice,  
Seigling,  
Sloan,  
Springs,  
Steele,

Messrs Sullivan,  
Thomson,  
Torre,  
Tradewell,  
Trenholm,  
Vance,  
Wagner, and  
Witherspoon.

The question then recurred on the amendment proposed by Mr. B. F. PERRY, and the question being put, Will the House agree thereto? it passed in the affirmative.

Yeas, 56—Nays, 36.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative, are,

The Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,  
Anderson,  
Ashmore,  
Blum,  
Bradley,  
Brown,  
Broyles,  
Burt,  
J. B. Campbell,  
R. E. Campbell,  
Cash,  
Crosson,  
Cruikshank,  
Duncan,  
Elliott,  
Garlington,  
Gourdin,  
Hammond,  
Harrison,  
Hearst,  
Howell,  
Hunt,

Messrs. B. J. Johnson,  
Jordan,  
Kershaw,  
King,  
Lanneau,  
Lesesne,  
McBee,  
McCrady,  
McGowan,  
McKnight,  
Middleton,  
Mitchell,  
Morgan,  
B. F. Perry,  
Pickens,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Seigling,  
Sinkler,

Messrs. Sloan,  
Springs,  
Steele,  
Sullivan,  
Thomson,  
Torre,

Messrs. Tradewell,  
Trenholm,  
Vance,  
Wagner, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Bates,  
Beaty,  
Boykin,  
Boylston,  
Byrd,  
Christie,  
Clarke,  
Clawson,  
Cureton,  
Dantzler,  
Durant,  
Ellis,  
Flagg,  
Fox,  
Gadberry,  
Hope,  
Hudgens,  
Hutson,

Messrs. J. I. Ingram,  
Tillman Ingram,  
W. R. Johnston,  
Keitt,  
Lawton,  
Leitner,  
Manigault,  
Mobley,  
Mullins,  
Munro,  
Owens,  
Rice,  
Rosborough,  
Stokes,  
Thornwell,  
Trotti,  
Wallace, and  
Winsmith.

The Bill was then ordered to be sent to the Senate.

The Senate returned to this House an Act to make appropriations for the year commencing October, one thousand eight hundred and fifty-two, which was committed to the Committee on Engrossed Acts.

On motion of Mr. TRADEWELL, the House was adjourned at forty-five minutes past eleven o'clock, P. M.

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WEDNESDAY, DECEMBER 15, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

On motion of Mr. WAGNER, leave of absence was granted to Mr. Keitt for the remainder of the session.

On motion of Mr. OWENS, leave of absence was granted to Messrs. Lawton and Walker for the remainder of the session.

On motion of Mr. ELLIS, leave of absence was granted to Mr. Poppenheim for the rest of the session.

On motion of Mr. WINSMITH, leave of absence was granted to Mr. Tillinghast for the remainder of the session.

On motion of Mr. BOYLSTON, leave of absence was granted to Mr. SHEDD for the remainder of the session.

On motion of Mr. SEIGLING, leave of absence was granted to Mr. Ellis for the remainder of the session.

Messrs. HAMPTON, CAUTHEN, WILLIAMS, WEATHERLY and BLAKENEY asked and obtained leave to record the vote they would have given, on agreeing to the amendment proposed yesterday by Mr. J. B. Perry to the Bill to incorporate the Blue Ridge Rail Road Company, had they been present; and their names having been called by the Clerk, Messrs. Hampton and Blakeney answered aye and Messrs. Cauthen, Williams and Weatherly answered no.

The SPEAKER laid before the House the account of H. J. Dean, Clerk of the House, for stationery furnished the House of Representatives; which was referred to the Committee on Claims.

The Senate returned to this House the following Bills, which were read the third time:

A Bill to appropriate the sum of three thousand five hundred dollars for the erection of a suitable building for the education of the deaf and dumb of this State, at Cedar Springs, in Spartanburg.

A Bill to authorize the State to aid in the construction of the North Eastern Rail Road.

A Bill to release from pledge the Rail Road Shares belonging to the State.

A Bill to incorporate the Carolina Mutual Insurance Company of Charleston.

A Bill to exempt Robert Hopton, a free person of color, from capitation tax.

A Bill to amend the charters of certain towns and villages heretofore incorporated; the title whereof was amended by the Senate so as to read, A Bill to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted.

The Senate returned

A Bill to re-charter the Planters' and Mechanics' Bank of South Carolina, the Union Bank of South Carolina, the Commercial Bank of Columbia, South Carolina, and incorporate the Exchange Bank of Columbia, the Farmers' and Exchange Bank, and the People's Bank of Charleston, the Bank of Newberry, Bank of Chester, the Bank of Sumterville, the Planters' Bank of Fairfield, and the Western Bank of South Carolina, at Anderson.

*Resolved*, That the Bills do pass; that the titles thereof be changed; that they be called Acts; that they be sent and returned to the Senate.

The Senate also returned to this House A Bill to vest in William H. Trapp the exclusive right to navigate Little River: which was read the third time.

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called An Act.

*Ordered*, That it be sent to the Senate.

The Senate sent to this House A Bill to authorize the South Carolina Rail Road Company to construct a certain bridge over the Congaree River, with the following clause stricken out, which had been added by the House to the Bill on the second reading :

SEC. XI. It is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled "An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters for incorporations will hereafter be granted," ratified on the 17th day of December, in the year 1841; that nothing herein contained shall be construed as exempting the said company from the provisions of the said 41st section upon any future grant, renewal or modification of their charter.

On motion of Mr. HAMPTON, it was ordered that a message be sent to the Senate, insisting on the part of this House, to restore the amendment so stricken out by the Senate.

The following message was received from the Senate.

IN THE SENATE, December 15, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate refuses to grant leave to your House to restore to the Bill, entitled A Bill to authorize the South Carolina Rail Road Company, to construct a certain bridge over the Congaree River, the following amendment made

by your House on the second reading and stricken out by the Senate on third reading :

**SEC. XI.** And it is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled, " An Act to incorporate certain villages, societies and companies and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted," ratified on the 17th December, in the year of our Lord, 1841 ; that nothing herein contained shall be construed as exempting the said company from the provisions of the said 41st section for any future grant, renewal or modification of their charter.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. HAMPTON, it was ordered that a message be sent to the Senate, informing that body, that this House insist on asking leave of the Senate to restore the amendment aforesaid, and that a committee of conference be appointed on the part of this House, and that the Senate be requested to appoint a similar committee to meet the committee appointed on the part of this House.

Whereupon, the SPEAKER appointed Messrs. Hampton, McCrady and Tradewell of the Committee.

The Senate then attended and joined the House in a ballot for President and Directors of the Bank of the State of South Carolina.

The Senate sent to this House, a Bill to amend the charter of the Wilmington and Manchester Rail Road Company ; which was read the third time, and the question being put, Shall this Bill pass ? it passed in the affirmative.

Yeas, 51—Nays, 43.

The Yeas and Nays were requested and are as follows :

Those who voted in the affirmative, are

Messrs. Ashmore,  
Blakeney,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Burt,  
Byrd,

Messrs. Cash,  
Charles,  
Clarke,  
Clawson,  
Crosson,  
Duncan,  
Durant,  
Ellis,

Messrs. Ervin,  
 Flagg,  
 Gadberry,  
 Garlington,  
 Hearst,  
 Hope,  
 Howell,  
 Hudgens,  
 Hutson,  
 J. I. Ingram,  
 Tillman Ingram,  
 Jordan,  
 McGowan,  
 McKnight,  
 Maybin,  
 Melton,  
 Middleton,  
 Moorer,

Messrs. Mullins,  
 Munro,  
 Murray,  
 O'Bryan,  
 Owens,  
 J. B. Perry,  
 Pickens,  
 Read,  
 Rosborough,  
 Shedd,  
 Steele,  
 Stokes,  
 Thornwell,  
 Thomson,  
 Trotti,  
 Vance, and  
 Witherspoon.

Those who voted in the negative, are

The Hon. JAMES SIMONS, Speaker; and

Messrs. Anderson,  
 Beaty,  
 Blum,  
 Boykin,  
 R. E. Campbell,  
 Carwile,  
 Cauthen,  
 Christie,  
 Cooner,  
 Cruikshank,  
 Cureton,  
 Elliott,  
 Fox,  
 Gourdin,  
 Hammond,  
 Hampton,  
 Harrison,  
 Haskell,

Messrs. Kershaw,  
 King,  
 Lanneau,  
 Lesesne,  
 McBee,  
 McCrady,  
 Manigault,  
 Mitchell,  
 Mobley,  
 B. F. Perry,  
 Pitts,  
 Poppenheim,  
 Poscher,  
 Reynolds,  
 Rice,  
 Seigling,  
 Sinkler,  
 Springs,



Messrs. Sullivan,  
Torre,  
Trenholm,

Messrs. Wagner,  
Williams, and  
Winsmith.

*Resolved*, That the Bill do pass ; that the title thereof be changed ; that it be called an Act.

*Ordered*, That it be sent to the Senate.

The Senate returned to this House the following Acts ; which were committed to the Committee on Engrossed Acts :

An Act to vest in William H. Trapp the exclusive right to navigate Little River ;

An Act to incorporate the Carolina Mutual Insurance Company of Charleston ;

An Act to appropriate the sum of \$3,500 for the erection of a suitable building for the education of the Deaf and Dumb of this State, at Cedar Springs, Spartanburg District ;

An Act to exempt Robert Hopton, a free person of color, from capitation tax ;

An Act to release from pledge the Rail Road shares belonging to the State ;

An Act to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted ; and,

An Act to authorize the State to aid in the construction of the North Eastern Rail Road.

The Senate sent to this House for concurrence,

Report of the Committee on Roads and Public Buildings, on the petition of James Bonds, Sheriff of Newberry District ;

Report of the same Committee on the petition of E. P. Lake, Ordinary of Newberry ;

Report of the same Committee, on the petition of Burr J. Ramage, Clerk of the Court of Newberry ;

Report of the same Committee, on the petition of L. J. Jones, Commissioner in Equity for Newberry ;

Report of the same Committee, on the presentment of the Grand Jury, and the petition of the Commissioners of Public Buildings of Newberry ; and,

Resolutions directing the Commissioners of Public Buildings for Richland to give a portion of the Court House lot for a Banking House, to the Bank of the State of South Carolina ; and,

A Resolution providing for requiring plans and estimates, whenever ap-

plications are made for appropriations for Court Houses and Jails; which were severally referred to the Committee on Public Buildings.

Also the report of the Committee on the Judiciary on the communication of J. S. G. Richardson, State Reporter; which was referred to the Committee on the Judiciary.

Reports of the Committee on Privileges and Elections, on a petition to abolish Sterrett's Swamp poll as a place of Election in All Saints Parish, which was referred to the Committee on Privileges and Elections.

Report of the Special Committee appointed to examine the contingent accounts of his Excellency, the Governor; which was referred to the Special Committee of this House on that subject; and

Resolutions of inquiry as to certain transactions of the Bank of the State; which was referred to the Committee on Ways and Means.

On motion of Mr. OWENS, the motion to suspend the 52d Rule of this House, introduced yesterday by Mr. HAMPTON, was taken up and the resolution with the amendments thereto adopted.

Mr. SLOAN, from the Committee on Privileges and Elections, made a report on sundry petitions for the appointment of Magistrate; which was ordered for consideration to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements made a report on the report of the Committee of the Senate, on the report of the President of the Cheraw and Anson Plank Road Company; which was ordered for consideration to-morrow.

Mr. McKNIGHT, from the Committee on Public Buildings, made a report on the report of the Senate's Committee, on the petition of the Commissioners of Public Buildings for Marion; which was ordered for consideration to-morrow.

Mr. THOMSON, from the Committee on the Lunatic Asylum, made a report on the report of the Senate's Committee, on the report of the Regents of the Asylum, and so much of the Governor's Message as relates thereto; which was ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, made a report on the report of the Senate's Committee, on the presentment of the Grand Jury of Charleston; and

On the report of the Senate's Committee, on the presentment of the Grand Jury of Abbeville; which were severally ordered for consideration to-morrow.

Mr. HUNT, from the Committee on the Judiciary, made a report on a

resolution from the Senate, as to printing done under the direction of the Presiding Judge ; and

Mr. ASHMORE, from the Committee on Claims, on the account of H. J. Dean ; which were severally ordered to be considered immediately, were agreed to, and were ordered to be sent to the Senate for concurrence.

Mr. CLAWSON submitted the following resolutions, which were ordered for consideration immediately, were agreed to, and were ordered to be sent to the Senate for concurrence.

*Resolved*, That the Comptroller General be and he is hereby directed to restate the amount due the Catawba Indians by the State, under the treaty of 1840, and in restating said account that he charge the State with an annuity of \$1,500 per year for the term of nine years, instead of \$2,500 as in his report of 1850, and that said statement in all other respects conform to the Resolutions of 1849 on this subject.

*Resolved, further*, That he report to the next Legislature how long, at the present rate of taxation, until the owner of the Catawba Indian land, situate in York and Lancaster Districts, will have refunded to the State the advances made, or which may hereafter be made in executing the treaty with the said Catawba Indians.

A Bill to alter and amend an Act, entitled an Act to provide for the defence of the State, was read the third time.

*Resolved*, That the Bill do pass ; that the title thereof be changed ; that it be called An Act.

*Ordered*, That it be returned to the Senate.

### GENERAL ORDERS.

The following Bills were read the second time, and were ordered to be returned to the Senate :

A Bill to alter and amend an Act, entitled an Act to incorporate the North Eastern Rail Road Company ;

A Bill to incorporate the Fireman's Insurance Company of Charleston ;

A Bill to vest the right which the State may have in certain real estate in Robert Adger, executor of C. B. S. Gulden, the title whereof was changed so as to read, " A Bill to vest the right and title of the State in certain escheated property, in certain persons therein mentioned ;"

A Bill to alter the sittings of the Courts of Law in the Northern Circuit ;

A Bill to vest in Thomas Bennett, his heirs and assigns, all the right ; title and interest of the State of South Carolina, in two lots of land on

Charleston Lines, was called for a second reading, and progress having been made therein,

Under the order of the House, business was suspended at 4 o'clock, was suspended until 6 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the chair,

On motion of Mr. J. B. PERRY, leave of absence was granted to Mr. Stokes for the remainder of the Session.

On motion of Mr. MIDDLETON, the Committee of Ways and Means was discharged from the consideration of a resolution of inquiry as to certain transactions of the Bank of the State; which was referred to committee, and a message was sent to the Senate, returning the resolution.

On motion of Mr. BOYLSTON, leave of absence was granted to Mr. Rosborough for the remainder of the Session.

Mr. MIDDLETON submitted the following resolution, which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence:

*Resolved*, That the expense incurred by the Clerks of the House and Senate, in procuring maps with the view of re-districting the State into Congressional districts, under the resolution agreed to at the Extra Session, be paid to the said Clerks out of the fund appropriated to pay the contingent expenses of the two Houses.

Mr. BOYLSTON, from the Committee on the Judiciary, made a report on the report of the Senate's Committee, on the report of J. S. G. Richardson, State Reporter.

A Bill to vest in Thomas Bennett, his heirs and assigns, all the right, title and interest of the State of South Carolina, in two lots of land on Charleston Lines, was read the second time.

On motion of Mr. BOYLSTON, the title was changed so as to read, A Bill to authorize the conveyance of certain parcels of land in fee simple to Thomas Bennett and to James Fuller, upon certain conditions.

The Bill was then ordered to be returned to the Senate.

Mr. WALKER, from the Committee appointed to count the votes cast for President and Directors of the Bank of the State of South Carolina, reported that, for President, Charles M. Furman had received 168 votes; and that N. B. Hill, W. C. Dukes, R. G. Stone, P. M. Cohen, E. Carson, H. F. Strohecker, J. H. Steinmeyer, G. H. Walter, J. L. Gantt, E. W. Matthewes, George Robertson, and R. Dulin, had received the highest

number of votes cast above the requisite majority; whereupon the SPEAKER announced that the above named gentlemen are duly elected President and Directors of the Bank of the State of South Carolina.

A Bill to amend an Act, entitled "An Act to provide for the Inspection of Flour," was read the second time, and was ordered to be sent to the Senate.

A Bill to amend an Act, entitled "An Act to amend the law in relation to the Harboring of Deserted Seamen," was read the second time, and was ordered to be sent to the Senate.

On motion of Mr. SULLIVAN, the report of the Committee on Education on the Annual Returns of the Commissioners of Free Schools, for the several Districts, Parishes and Counties of the State.

The following Bills were ordered to *lie on the Table* :

A Bill to vest the right which the State may have in certain Real Estate, in Robert Adger, executor of C. B. S. Gulden;

A Bill to amend an Act, entitled "An Act to amend the law in relation to the Harboring of Deserted Seamen;

A Bill to Incorporate the Fireman's Insurance Company of Charleston.

The Senate returned to this House the following Bills; which were read the third time :

A Bill to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads in certain particulars;

A Bill to authorize aid in the construction of the Pendleton Rail Road;

A Bill to Incorporate certain Societies, Associations and Companies;

A Bill to Incorporate certain Religious and Charitable Societies and Societies for the advancement of Education, and renew the charters of others heretofore granted;

A Bill to authorize aid in the construction of the Cheraw and Darlington Rail Road;

A Bill to authorize the Incorporation of the Savannah River Valley Rail Road Company;

A Bill to alter and arrange the times of the sittings of the Courts for Equity on the Fifth Circuit;

A Bill to raise supplies for the year commencing one thousand eight hundred and fifty-two.

*Resolved*, That the Bills do pass; that the titles thereof be changed; that, they be called Acts.

*Ordered*, That they be sent to the Senate.

A Bill for the establishment of a general system of registration of births,

marriages and deaths in the State of South Carolina, was called for a second reading ; and,

On motion of Mr. McGOWAN was made the special order of the day, for the first Thursday after the fourth Monday in November next, at 1 o'clock, P. M.

The following message was received from the Senate :

IN THE SENATE, Nov. 15, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate insists upon refusing to grant leave to your House to restore to the Bill, entitled " A Bill to authorize the South Carolina Rail Road Company, to construct a certain bridge over the Congaree River," the following amendment made by your House on the second reading, and stricken out by the Senate on the third reading of the Bill : Section II. And it is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled An Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporations will hereafter be granted, ratified on the 17th day of December, in the year of our Lord, 1841. But nothing herein contained shall be construed as exempting the said company from the provisions of the said 41st section upon any future grant, renewal, or modification of their charter, and has appointed Messrs. Chesnut and McAlily a committee of free conference on the part of the Senate to confer with the committee appointed by your House, on the subject of the difference between the two Houses.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The report of the Committee on Accounts, on the accounts against the Upper Division of the Treasury, was read, considered, and agreed to, and ordered to be sent to the Senate for concurrence.

On motion of Mr. KERSHAW, the House was adjourned at 12 minutes past 10 o'clock, P. M.

## THURSDAY, DECEMBER 16, 1852.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House

A Bill to incorporate the Blue Ridge Rail Road Company, and

A Bill to incorporate the Fireman's Insurance Company of Charleston; which were read the third time.

*Resolved*, That the Bills do pass; that the titles thereof be changed; that they be called Acts.

*Ordered*, That they be returned to the Senate.

Mr. HAMPTON, from the Committee on Conference, appointed to confer on the difference between the two Houses on a Bill to authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree river, made a report, and

The following message was received from the Senate:

IN THE SENATE, December 15, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate insists on refusing to grant leave to your House to restore to the Bill, entitled a Bill to authorize the South Carolina Rail Road Company to construct a certain bridge over Congaree river, the following amendment, made by your House on a second reading, and stricken out by the Senate on the third reading: Section 11. And it is hereby expressly declared that the said South Carolina Rail Road Company is exempted from the provisions of the 41st section of an Act, entitled an Act to incorporate certain villages, societies and companies, and to renew and amend certain charters heretofore granted, and to establish the principles on which charters of incorporation will hereafter be granted; "ratified on the 17th day of December, A. D. 1841, but that nothing herein contained shall be construed as exempting the said Company from the provisions of the said 41st section for any future grant, renewal, or modification of their charter;" and has appointed Messrs. Chesnut and Dudley a Committee of Conference to meet a similar Committee to be appointed on the part of your House concerning the matters of difference between the Senate and your House.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The Senate sent to this House the following Bills, which were read the third time :

A Bill to amend an Act, entitled an Act to provide for the inspection of flour ;

A Bill to alter the sittings of the Courts of Law on the Northern Circuit ; and

A Bill to alter and amend an Act, entitled an Act to incorporate the North Eastern Rail Road Company.

*Resolved*, That the Bills do pass ; that the titles thereof be changed ; that they be called Acts.

*Ordered*, That they be returned to the Senate.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the report of the President and Directors of the Bank of the State of South Carolina ;

On the petition of stockholders of the Bank of Hamburg, praying a renewal of charter ;

On the report of the State Proxies in South Carolina Rail Road Company ;

On the petition of the Greenville and Columbia Rail Road ;

On the report of the Comptroller General ; which were ordered to be considered immediately, were agreed to, and were ordered to be sent to the Senate for concurrence :

On motion of Mr. MIDDLETON, the Committee of Ways and Means was discharged from the consideration of so much of the Governor's Message, No. 1, as relates to the expenditures of the State Convention ;

Of the report of the Comptroller General on a Resolution of inquiry on the subject of Rail Road stock held by the State.

Of the petition of citizens of Chester, praying the incorporation of a Bank.

Of A Bill from the Senate to establish and incorporate another Bank in the City of Charleston, to be called the People's Bank ; and

On motion of Mr. MIDDLETON, they were ordered *to lie on the Table*.

Mr. SLOAN from the Committee on Privileges and Elections made reports,

On the report of the Senate's Committee on a petition to abolish Sterrett's Swamp poll, which was ordered for consideration immediately, was agreed to, and was ordered to be returned to the Senate.



On the communication of G. A. TRENHOLM, a member of this House ; which was ordered to be considered immediately, and was agreed to.

On motion of Mr. TORRE, it was ordered that the Speaker do issue a pay-bill for per diem and mileage to Mr. Trenholm, whose seat has been declared vacant.

Mr. READ, from the Special Committee to examine the report of the Senate's Committee on the contingent accounts of the Governor, made a report ; which was ordered to be considered immediately and was agreed to.

Mr. HUNT, from the Committee on the Judiciary, made reports ; which were ordered to be considered immediately, and were ordered *to lie on the Table*.

On the resolution concerning the Sheriff's bond of Georgetown.

On so much of the Governor's Message as relates to the Augusta Bridge and the Savannah boundary.

On motion of Mr. HUNT, it was

*Resolved*, That a Committee of three be appointed to take into consideration the mode of proceeding with the unfinished business of this House, and as to the expediency and propriety of continuing the unfinished business of one session into another, from the stage at which it was interrupted at the time of adjournment ; whereupon the Speaker appointed Messrs. Hunt, Mitchell and Middleton of the Committee.

Mr. REYNOLDS from the Charleston Delegation, made reports,

On the memorial of citizens of Charleston, for extending the time of office of Mayor and Aldermen of Charleston ; and,

On the memorial of sundry citizens of Charleston, for change of time of holding the City Election ; which were ordered to be considered immediately, and were ordered *to lie on the Table*.

The Senate returned to this House

An Act to provide for the formation of the Savannah River Valley Rail Road Company,

An Act to alter and arrange the sittings of the Courts of Equity in the fifth Circuit ;

An Act to authorize aid in the construction of the Pendleton Rail Road ;

An Act to incorporate certain Societies, Associations and Companies, and for the re-charter of others ; and

An Act to alter and amend An Act entitled, An Act to provide for the defence of the State ; which were committed to the Committee on Engrossed Acts.

Mr. HOPE, from the Committee on Public Buildings, made a report on

reports of the Senate's Committee on Roads and Public Buildings, on the petitions of James Bonds, of E. P. Lake, of Burr J. Ramage, of L. J. Jones ; on the presentment of the Grand Jury, and the Commissioners of Public Buildings of Newberry ; and resolutions from the Senate directing Commissioners of Public Buildings of Richland to give a portion of the Court House lot for a Banking House to the Bank of the State of South Carolina ; and

Providing for the requiring of plans and estimates whenever applications are made for appropriations for Court Houses and Jails ; which was ordered to be considered immediately, was agreed to, and the reports and resolutions were ordered to be returned to the Senate.

On motion of Mr. SEIGLING, it was ordered that the Committee on the State House and Grounds be directed to have the screens between the seats of the members and the passage to the chimneys raised so as to afford comfort and privacy to those members whose seats are located in the neighborhood of the said screens.

Mr. HAMPTON submitted the following preamble and resolutions ; which were ordered to be considered immediately, were agreed to, and a message was accordingly sent to the Senate :

*Whereas*, The sum of five thousand dollars was paid by this State to the town of Columbia, as a purchase for the supply of water to the public buildings of the town, and other buildings which the State might hereafter erect in the said town ; and whereas since the year 1818, when the money was paid, the number of public buildings has so much increased, that the cost of furnishing water requisite for their use is now \$1350 instead of \$350 per annum., the original cost, and as it does not appear just that the town should suffer such loss annually, be it

*Resolved*, That a Committee of three be appointed by this House to take the subject into consideration, and to report at the next Session of the Legislature, and that a message be sent to the Senate, requesting that body to appoint a similar committee to confer with the committee on the part of this House.

Whereupon, the SPEAKER appointed Messrs. Hampton, Boykin and Howell of the Committee.

The Senate sent to this House the following Bills ; which were read the third time :

A Bill to amend an Act, entitled an Act to amend the law in relation to the harboring of deserted seamen ;

A Bill to authorize the conveyance of certain parcels of land, in fee simple, to Thomas Bennett and James Fuller upon certain conditions, and

A Bill to vest the right and title of the State in certain escheated property in certain persons therein mentioned.

*Resolved*, That the Bills do pass ; that the titles thereof be changed ; that they be called Acts.

*Ordered*, That they be returned to the Senate.

The Senate returned to this House an Act to authorize aid in the construction of the Cheraw and Darlington Rail Road, and

An Act to Incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted, and

An Act to raise supplies for the year commencing one thousand eight hundred and fifty-two ; which were committed to the Committee on Engrossed Acts.

The following message was received from the Senate.

IN THE SENATE, Dec. 14, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate grants leave to your House to have the report of the Committee on Privileges and Elections of your House, on the communication of John C. Allen, a member of the House of Representatives, printed with the Acts, Reports and Resolutions of the General Assembly.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was received from the Senate :

IN THE SENATE, Dec. 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to strike out of the Bill entitled a A Bill to raise supplies for the year commencing October, 1852, the words "and except also consigned goods sold and remitted for," in the first section of the Bill which had been stricken out by Senate on second reading, and restored by your House on the third reading.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. MIDDLETON, leave was granted and an answer was returned.

The following message was received from the Senate.

IN THE SENATE, Dec. 15, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in a message from your House, informing Senate of the adoption, by your House, of certain resolutions for the appointment of Committees of Inspection for the Bank of the State and its Branches, and Senate has appointed the following Committees to act with the Committees appointed by your House:—for the principal Bank, in Charleston, Messrs. Carew and Gist; for the Branch Bank, at Columbia, Messrs. McAlilley and Boozer; for the Branch Bank, at Camden, Messrs. Chesnut and Harllee.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. LANNEAU, from the Committee on Vacant Offices, made a report, which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

The Senate sent to this House, resolutions concerning the Boundary Line between Georgia and South Carolina; which was referred to the Committee on Federal Relations.

Resolution concerning the appointment of proxies to represent the shares of the State in various Rail Roads; which was referred to the Committee of Ways and Means; and,

The petition of John W. Hodge and of John Gibbes; which were referred to the Committee on Internal Improvements.

The following message was received from the Senate:

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

The Senate asks leave of your House to strike out of the Bill, entitled A Bill to establish certain Roads, Bridges and Ferries, and to amend the law in relation to Commissioners of Roads, in certain particulars, the 20th section, which gives a charter of the Bridge over the Savannah River, to the City Council of Augusta; which section was stricken out by Senate on the second reading, and restored by your House on the third reading of the Bill.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. OWENS, the House refused to grant leave, and an answer was returned.

The following message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate insists on asking leave of your House to strike out of the Bill, entitled A Bill to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads in certain particulars, 20th section, which gives a charter of a Bridge over the Savannah River, to the City Council of Augusta, and which section was stricken out by the Senate on the second reading, and restored by your House on the third reading of the Bill, and has appointed Messrs. Mazyck and Adams a Committee of Free Conference, and respectfully asks your House to appoint a similar Committee, to confer with Senate's Committee on this subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House insisted on refusing to grant leave to the Senate, and concurred in so much of the message as relates to the appointment of the Committee of Conference: Whereupon, the SPEAKER appointed Messrs. Cauthen, Middleton and Moorcr, of the Committee.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The following reports were considered, and agreed to :

Reports of the Committee on Education,

On the memorial of the citizens of Walterboro', praying the appointment of Trustees for Walterboro' Academy ;

On the petition of citizens of Greenville, in reference to a Poll Tax for Free Schools.

Report of the Committee of Ways and Means,

On the petition of J. D. Aiken, Attorney of Robert Martin;

Reports of the Committee on Claims,

On the account of Dr. H. Dubose;

On the account of Dr. J. Ford Prioleau;

On the account of Dr. Peter Porcher ; and

On the account of Dr. R. A. Kinloch.

The following Reports were considered and agreed to, and were sent to the Senate for concurrence :

Report of the Committee of Ways and Means on the petition of Jephtha Dyson,

Report of the Committee on Public Buildings,

On the presentment of the Grand Jury ; and on the

Petition of the Commissioners of Public Buildings for Newberry, for a New Jail.

Report of the Medical Committee on the account of Dr. J. R. McQueen.

Reports of the Committee on Claims,

On the account of Doctor W. S. Burgess ;

On the account of Stephen Jackson ;

On the account of A. Palmer ;

On the account of James Adams ;

On the account of P. M. Johnson ;

On the account of the Administrator of A. S. Johnston ; and

On the account of Dr. J. P. Chazal.

The following reports were considered and agreed to, and were ordered to be returned to the Senate :

Report of the Committee on Pensions on the report of the Senate's Committee on the petition of Delilah Williams.

Reports of the Committee on Legislative Library,

On the Senate's Resolution for the additional distribution of the first volume of Mr. Calhoun's Works ;

On the Senate's Resolution providing that the Governor apply the unexpended balance of the appropriation for the publishing of Mr. Calhoun's Works, to the publication of his Life and Speeches.

Reports of the Medical Committee on the reports of the Senate's Committee on the account of Dr. George Pelzer, and,

On the account of Dr. J. N. Carr.

The following report was ordered to *lie on the Table* :

Report of the Committee on Education on the petition of S. A. Towns.

The following message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Accounts of your House, on the report of the Comptroller General on the contingent accounts against the Upper Division, by adding the

following account for Newberry District: Daniel Wicker, Constable, account \$25 40; not allowed, \$2 37; allowed, \$23 03.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

A Resolution in reference to a subscription on the part of the State to the publication of Lives and Sketches of eminent South Carolinians, was submitted by Mr. B. F. PERRY; was considered, and the question being put, Will the House agree thereto? it was decided in the negative.

Yeas 10—Nays 53.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative, are

The Hon. JAMES SIMONS, Speaker, and

Messrs. Ashmore,  
Duncan,  
McBee,  
McGowan,  
Middleton,

Messrs. B. F. Perry,  
Read,  
Tradewell, and  
Winsmith,

Those who voted in the negative, are

Messrs. Alexander,  
Anderson,  
Bates,  
Beaty,  
Blum,  
Boykin,  
Boylston,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Christie,  
Clawson,  
Cooner,  
Crosson,  
Cruikshank,  
Cureton,  
Elliott,

Messrs. Fox,  
Gadberry,  
Garlington,  
Gourdin,  
Hammond,  
Hampton,  
Harrison,  
Haskell,  
Hearst,  
Hope,  
Howell,  
Hunt,  
Hutson,  
J. I. Ingram,  
Keitt,  
McCrary,  
Manigault,  
Maybin,

Messrs. Melton,  
Mobley,  
Moorer,  
Murray,  
O'Bryan,  
Patterson,  
Pickens,  
Pitta,  
Porcher,

Messrs. Reynolds,  
Rice,  
Sullivan,  
Trotti,  
Vance,  
Wagner,  
Wallace, and  
Witherspoon.

Mr. HUTSON, from the Committee on Privileges and Elections, made a report on the Senate's resolution requiring the Secretary of State to forward writs of Election for members of Congress; and

Mr. VANCE, from the Committee on Internal Improvements, made reports on the reports of the Senate's Committee on the petition of J. W. Hodge and John Gibbs; which were severally ordered to be considered immediately, were concurred in, and were ordered to be returned to the Senate.

Mr. CAUTHEN, from the Committee of Conference, in the matter of the City Council of Augusta and the Bridge over the Savannah River, reported that the Committee had failed to come to any agreement; and

On motion of Mr. WINSMITH, the House refused to agree to the report of the Committee of Conference, and the following Message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate insists on asking leave of your House to strike out of the Bill, entitled a Bill to establish certain Roads, Bridges and Ferries, and to amend the Law respecting the Commissioners of Roads in certain particulars, the 20th section, which gives a charter of the Bridge over the Savannah River to the City Council of Augusta, and which section was stricken out by the Senate on the second reading by your House on the third reading of the Bill; and has appointed Messrs. Griffin and Hasell a Committee of free conference, and respectfully ask your House to appoint a similar Committee to confer with Committee of Senate on that subject.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. WINSMITH, the House insisted on refusing to grant leave to the Senate, but concurred in so much of the Message as relates to



the appointment of a Committee of Conference ; whereupon the Speaker appointed Messrs. Winsmith, B. F. Perry and J. B. Campbell of the Committee.

A Bill to establish the line of the channel of Ashley River, adjacent to the City of Charleston, was taken up, and on motion of Mr. REYNOLDS, was re-committed to the Charleston Delegation.

Mr. MANIGAULT, from the Committee on Federal Relations, made a report on the resolutions of the Senate in relation to the Savannah River boundary ; which was made the special order for the first Tuesday after the first Monday in December next, at one o'clock P. M.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On so much of Message No. 1 of the Governor as relates to the expenditures of the State Convention ;

On the petition of sundry citizens of Chester, praying the incorporation of a Bank in the Town of Chester ; and

On a resolution from the Senate to appoint proxies to represent stock of the State in Rail Roads ; and

On the petition of the Stockholders of the Bank of Hamburg ; and

On the Report of the Greenville and Columbia Rail Road Company.

Mr. HUNT, from the Committee on the Judiciary, made reports on a resolution concerning the Sheriff's bond in Georgetown, and on so much of the Governor's Message as relates to the Augusta Bridge ; and

Mr. READ, from the Special Joint Committee, appointed to examine the Governor's contingent accounts, made a report ; which said reports were severally ordered to be considered immediately, and were agreed to.

The Senate sent to this House the account of A. C. Squier, which by unanimous consent was considered immediately, was concurred in, and was ordered to be returned to the Senate.

Mr. READ submitted the following resolution, which was ordered for consideration immediately, and was agreed to :

*Resolved*, That it is the sense of this House, that in granting mileage and per diem to the Committees appointed to investigate the condition of the Bank of the State and its Branches, such mileage and per diem is to be allowed to such members only as are non-residents of the city or town in which the Bank is situated, or do not live within seven miles of the said city or town.

Mr. WINSMITH, from the Committee of Conference on the subject of the City Council of Augusta and the bridge over the Savannah river, report-

ed that the Committee of Conference had failed to come to any agreement.

On motion of Mr. MIDDLETON, the report was ordered *to lie on the Table*, and a message was sent to the Senate granting leave to that body to make the amendment proposed.

The House then resumed the consideration of the

### GENERAL ORDERS.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims

On the accounts of James U. Adams ;

On the account of T. W. Glover ;

On the account of Dr. J. H. Poozer ;

On the account of John Gibbs ;

On the account of R. S. Bailey ;

On the account of Dr. J. R. Barnett ;

The report of the Abbeville Delegation

On the report of the Trustees of the estate of Dr. John De La Howe.

Reports of the Committee on Public Buildings

On the petition of the Commissioners of Public Buildings for Marion ;

On the memorial of the Commissioners of Public Buildings for Georgetown, and

The report of the Committee on Education

On the Treasurer's report of South Carolina College.

The following reports were considered and agreed to, and ordered to be returned to the Senate :

Reports of the Committee on Claims

On the reports of the Senate's Committee on the account of the Winyaw Observer, and

On the memorial of Thomas Freen.

Report of the Committee on Education

On the report of the Senate's Committee on the Ludlum School Fund.

The Report of the Committee on State House and Grounds

On the Keeper's House.

The following Reports were considered and agreed to :

Report of the Committee of Ways and Means

On the Memorial of citizens of Charleston, praying for the charter of the Peoples' Bank.

Reports of the Committee on District Offices and Officers

On the petition of citizens of Darlington praying an additional magistrate.

Reports of the Committee on Claims,

On the accounts of James Bond, of S. P. Kinard and of H. R. Spann.

Report of the Committee on the Judiciary,

On the petition of J. W. Burbridge and Fanny Burdeshaw. Mr. HEARST obtaining leave to withdraw the same.

The Report of the Committee on Pensions,

On the petition of Ellen Servis. Mr. MELTON obtaining leave to withdraw the same, and

The report of the Committee on the Military on the account of Polk Robinson.

Resolutions instructing the Governor to appoint Commissioners upon our Criminal Code and Prisons, were considered and agreed to, and were ordered to be sent to the Senate for concurrence.

The following reports and resolutions were ordered *lie on the Table* :

Resolutions directing the publication of Evans' Digest of the Road Law ;

Resolutions authorizing the Judges to print at the expense of the State, certain description of papers ;

Report of the Committee on Roads, Bridges and Ferries ;

On the memorial of James Jones and J. J. Kennedy ;

Report of the Committee on Education on the report of the Vestry of St. James' Goose Creek Church, on the Ludlam School Fund ;

Report of the Committee on Public Buildings on the petition of citizens of York, asking leave to sell the Jail and Jail lot ; and the

Report of the Committee on the Military on the series of resolutions on the State Military Academy.

The following message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Vacant Offices of your House, by adding the following, viz : Commissioners of Roads, Chester District, John W. Wilkes, Jr., vice Richard Woods, resigned ; William Pinchback, vice M. S. Harlin, resigned.

Commissioners of Free Schools, Darlington District, William E. James, vice William Law. Marshall for Georgetown, James Potter.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Leave was granted, and an answer was returned.

The Senate returned to this House an Act to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads, in certain particulars; which was committed to the Committee on Engrossed Acts.

The following message was received from the Senate:

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate concurs in the message from your House informing Senate of the adoption by your House of certain resolutions for the appointment of a Committee to consider and report to the next Legislature, upon the subject of the supply of water, by the Town Council of Columbia, to the Public Buildings, and has appointed Messrs. Moses, Townsend and Buchanan, a special Committee to act with the Committee of your House on that subject.

By order of the Senate,

R. F. W. ALLSTON, President.

The Senate returned to this House, with their concurrence,

The reports of the Committee on Claims,

On the petition of J. R. Poole;

On the account of J. Ford Prioleau;

On the report of the Committee on Claims, on the petition of F. N. Garvin;

On the account of W. J. Francis;

On the account of Dr. A. Malloy;

On the account of Dr. C. J. Flinn;

On the report of the Comptroller General, on the account of Wm. Blackledge.

On the account of the Palmetto State Banner;

On the account of T. J. Warren;

On the account of T. J. Eccles;

On the account of S. J. Rice;

On the account of Bryan & McCarter;

On the account of James Powell;

On the account of W. F. Durisoe ;

On the account of H. J. Dean ;

On the account of B. Perry ; and,

On the account of Johnston & Cavis.

On the reports of the Committee on Public Buildings ;

On the presentment of the Grand Jury and the petition of the Commissioners of Public Buildings for Newberry, for a new Jail.

On the presentment of the Grand Jury of Orangeburg, recommending the enlargement of the Court House.

On the petition of the Commissioners of Public Buildings for Chester, praying an appropriation to complete the purchase of a lot.

On the presentment of the Grand Jury and the memorial of the Commissioners of Public Buildings for Abbeville District.

On the memorial of the Commissioners of Public Buildings for Anderson District.

On the petition of the Commissioners of Public Buildings for Edgefield District.

On the petition of the Commissioners of Public Buildings for Richland District.

Reports of the Committee on State House and Grounds on the reports of the Commissioners on State House and Grounds.

On the Resolution of Enquiry into the expediency of lighting the State House and Grounds with gas.

Report of the Medical Committee on the account of Dr. A. B. Crook.

Report of the Committee on the Judiciary on the petition of Michael Lorick.

Report of the Committee on the Military, on the petition of the Washington Light Infantry ; and,

Resolutions, requiring the returns of Commissioners of Free Schools to be made conformable to law ; and,

To provide for the payment of maps furnished by the Clerks of the Senate and House of Representatives.

The House then resumed the consideration of the

### GENERAL ORDERS.

The following reports were considered, and agreed to, and were ordered to be sent to the Senate :

Report of the Committee on the Military on the petition of George H. Walter and W. G. DeSaussure.

Report of the Committee on the Judiciary on the petition of Annette Elliott and others.

Report of the Committee on Education on the report of the Commissioners of Deaf and Dumb.

Report of the Committee on Privileges and Elections on the petition of citizens of York, praying a change in the day of elections.

Report of the Committee on Claims on the account of the Clerk of the Senate; and

Report of the Committee on Internal Improvements on the report of the President of the Cheraw and Anson Plank Road Company.

The report of the Committee on the Judiciary on the reports of the Senate's Committee on the communication of J. S. G. Richardson, State Reporter, was considered and agreed to, and was ordered to be returned to the Senate.

The following reports were considered, and agreed to :

Report of the Committee on Incorporations on the petition of S. T. Gaillard and others.

Report of the Committee of Ways and Means on the report of the President of the Wilmington and Manchester Rail Road Company.

Reports of the Committee on Education on [the petition of Daniel Mahony; which Mr. CARWILE obtained leave to withdraw.

Report of the same Committee on petition of Commissioners of Free Schools of Columbia.

On the reports of the Senate's Committee on the presentments of the Grand Juries of Abbeville and Charleston.

Report of the Committee on Privileges and Elections on the presentment of the Grand Jury of Colleton.

Report of the Committee on the Lunatic Asylum on the report of the Senate's Committee on the report of the Regents.

The report of the Committee on Public Buildings on the report of the Senate's Committee on the petition of Commissioners of Public Buildings of Marion.

The following reports were ordered *to lie on the Table* :

Report of the Committee of Ways and Means on the report of the Cheraw and Anson Plank Road Company.

Reports of the Committee on the Judiciary on Fifth Richardson's Law, and Third Richardson's Equity Reports; and on the petition of sundry citizens of York, praying the Repeal of the Homestead Law.

Under the order of the House, business was suspended at 4 o'clock, P. M., until 6 o'clock, P. M.

## RECESS.

When the SPEAKER resumed the Chair,

On motion of Mr. FLAGG, a Message was sent to the Senate, requesting leave to amend the report of the Committee on Vacant Offices, by inserting the names of Peter Vaught, Sr., W. K. Cuckon, and U. A. Delettre, as Commissioners of Free Schools for All Saints' Parish.

Mr. J. B. PERRY, from the Committee on Engrossed Acts, reported the following Acts as ready for ratification :

## ACTS ORIGINATING IN THE HOUSE.

An Act to open and extend Pitt street in the town of Mount Pleasant to Hibben street ;

A Bill to alter and amend the Constitution so as to change the name of the Election District of Saxe Gotha to that of Lexington, and to extend the boundaries to its present Judicial limits ;

An Act in relation to the execution of slaves and free persons of color ;

An Act to relieve Plank Road Companies from the necessity of making returns, unless specially called for by the Legislature ;

An Act to arrange this State into districts for the Election of Representatives in the Congress of the United States, and for other purposes ;

An Act to incorporate the village of Cokesbury ;

An Act to prevent obstructions to the passage of fish up Lynch's Creek ;

An Act to authorize the formation of a new Volunteer Company within the limits of the 23d Regiment of Infantry ;

An Act to exempt the surviving officers and members of the Palmetto Regiment from ordinary Militia duty ;

An Act to appoint Commissioners to ascertain and define the proper dimensions and directions of the streets in the town of Moultrieville, and to remove all obstructions in said streets ;

An Act to charter the Lancaster Rail Road Company ;

A Bill to alter the Constitution of this State, so as to divide Pendleton into two Election districts ;

An Act to alter and amend the law in relation to the education of the Deaf and Dumb of this State ;

An Act to incorporate the Beaufort and Columbia Loan and Building Association ;

An Act to amend an Act entitled An Act to incorporate the Commercial Insurance Company ;

An Act to vest the right, title and interest of the State in the proceeds of

the sale of the personal Estate of Daniel McGill, deceased, in Catharine McDonald, wife of Donald McDonald.

An Act to incorporate the Beaufort Female Seminary ;

An Act to alter and amend an Act, entitled An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road ;

An Act to extend the charter of the Bank of the State of South Carolina ;

An Act to repeal all Acts and parts of Acts authorizing Ordinaries to take possession of, and administer, Derelict Estates ;

An Act to incorporate certain towns and villages, and to renew and amend certain charters heretofore granted ;

An Act to incorporate the Carolina Mutual Insurance Company of Charleston ;

An Act to authorize the State to aid in the construction of the North Eastern Rail Road ;

An Act to make appropriations for the year commencing in October, in the year one thousand eight hundred and fifty-two ;

An Act to appropriate the sum of \$3,500 for the erection of a suitable building for the education of the Deaf and Dumb of this State, at Cedar Springs in Spartanburg District.

An Act to exempt Robert Hopton, a free person of color, from capitation tax ;

An Act to vest in William H. Trapp the exclusive right to navigate Little River ;

An Act to release from pledge railway shares belonging to the State ;

An Act to incorporate certain Societies, Associations and Companies, and for the re-charter of others ;

An Act to incorporate certain religious and charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted ;

An Act to amend the charter of the Wilmington and Manchester Rail Road Company ;

An Act to alter and arrange the times of the sitting of the Courts of Equity in the Fifth Circuit ;

An Act to alter and amend an Act, entitled An Act to provide for the defence of the State ;

An Act to authorize the formation of the Savannah River Valley Rail Road Company ;

An Act to raise supplies for the year commencing one thousand eight hundred and fifty-two ;



An Act to establish certain Roads, Bridges and Ferries, and to amend the law respecting Commissioners of Roads, in certain particulars ;

An Act to authorize aid in the construction of the Cheraw & Darlington Rail Road.

### ACTS ORIGINATING IN THE SENATE.

An Act to incorporate the Columbia Gas Light Company ;

An Act to incorporate the Johnson Female University ;

An Act to incorporate the Town of Bluffton ;

An Act to change the day of the election of, and term of office, of Mayor of the City of Charleston, and for other purposes ;

An Act to re-charter the Planters' and Mechanics' Bank of South Carolina ; the Union Bank of South Carolina ; the Commercial Bank of Columbia, South Carolina ; and to incorporate the Exchange Bank of Columbia ; the Farmers' and Exchange Bank and the People's Bank of Charleston ; the Bank of Newberry ; the Bank of Chester ; the Bank of Sumterville ; the Planters' Bank of Fairfield ; and the Western Bank of South Carolina, at Anderson ;

An Act to authorize the State to aid in the construction of the Pendleton Rail Road ;

An Act to incorporate the Fireman's Insurance Company of Charleston ;

An Act to amend an Act, entitled An Act to amend the law in relation to the harboring of deserted seamen ;

An Act to alter and amend an Act, entitled An Act to incorporate the North Eastern Rail Road Company ;

An Act to amend an Act, entitled An Act to provide for the inspection of flour ;

An Act to vest the right and title of the State in and to certain escheated property, in certain persons therein mentioned ;

An Act to authorize the South Carolina Rail Road Company to construct a certain bridge over the Congaree River ;

An Act to alter the sittings of the Courts of Law in the Northern Circuit ;

An Act to authorize the conveyance of certain parcels of land in fee simple to Thomas Bennett and James Fuller, upon certain conditions ;

An Act to incorporate the Blue Ridge Rail Road Company in South Carolina ;

The following message was received from the Senate :

IN THE SENATE, Dec. 16, 1852.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate grants leave to your House to amend the Report of the Committee on Vacant Offices, by inserting the names of Peter Vaught, Sen., W. K. Cuckon, and U. A. Delettire as Commissioners of Free Schools for All Saints Parish.

By order of the Senate,  
ROBT. F. W. ALLSTON, President.

On motion of Mr. MANIGAULT, the House reconsidered the vote making the Report of the Committee on Federal Relations on certain resolutions of the Senate, in relation to the Savannah boundary and the controversy thereon, and the report was ordered to be considered immediately, was agreed to and was ordered to be returned to the Senate.

The Senate sent to this House the report of the Committee on College, Education and Religion, on the annual returns of Free Schools ; which was referred to the Committee on Education.

The Senate sent to this House the following reports, which, by unanimous consent, were ordered to be considered immediately, were agreed to, and were ordered to be returned to the Senate.

Report of the Committee on Claims and Grievances, on the account of Benjamin Hart.

Report of the Committee on the Library, on a resolution concerning Tuomey's Geology.

Report of the Committee on the Judiciary on a resolution of inquiry as to the expediency of purchasing copies of Walker's Theory of the Common Law.

The Senate informed the House, by their Clerk, that they would be ready to proceed to the ratification of the Acts passed at the present Session of the General Assembly, at half-past 6 o'clock, P. M., and invited the House to attend in the Senate Chamber at that hour.

The House then attended in the Senate Chamber, when the Acts passed at the present Session of the General Assembly were duly ratified, and

Two Bills to alter the Constitution of this State were duly certified.

When the SPEAKER resumed the chair,

The Committee on Education, to whom was referred the report of the Senates Committee on the annual returns of Free Schools, made a report

which was ordered to be considered immediately, and was agreed to, and the report of the Senate's Committee was ordered *to lie on the Table*.

The Senate returned with their concurrence,

The report of the Committee on Accounts on the contingent accounts against the Treasury of the Upper Division.

Reports of the Committee on Claims,

On the account of R. S. Bailey ;

On the account of John Gibbs ;

On the account of Dr. J. H. Pooser ;

On the report of the Comptroller General on the accounts of J. U. Adams ;

On the account of Dr. W. S. Burgess ;

On the account of A. Palmer ;

On the accounts of P. M. Johnson ;

On the accounts of T. W. Glover, Clerk, House of Representatives ;

On the account of Dr. J. P. Chazal ;

On the account of James Adams ;

On the account of Administrator of A. S. Johnston ;

On the account of Stephen Jackson.

Reports of the Committee of Ways and Means,

On the report of the Comptroller General ;

On the report of the State Proxies in the South Carolina Rail Road Company, and South Western Rail Road Bank ;

On the report of the President and Directors of the Bank of the State of South Carolina.

Reports of the Committee on Education,

On the report of the Commissioners of Deaf and Dumb ; and

On the report of the Treasurer of the South Carolina College.

Report of the Abbeville Delegation on the Annual Report of the Trustees of the estate of Dr. John D. La Howe.

\* Report of the Medical Committee on the account of Dr. J. R. McQueen.

Report of the Committee on Public Buildings on the petition of the Commissioners of Public Buildings for Marion District.

Report of the Committee on the State House and Grounds on the Keeper's House.

Report of the Committee on Internal Improvements on various memorials, asking a disposition of the Public Works ; and

Report of the Special Committee to examine the contingent accounts of

his Excellency, the Governor, and resolutions of enquiry directed to the Comptroller General.

On motion of Mr. MIDDLETON, the report of the Senate Committee on College Education and Religion, on the Annual Returns of Free Schools, was *taken up*, considered, agreed to, and was ordered to be returned to the Senate.

The following Message was received from the Senate :

IN THE SENATE, December 16, 1852.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Privileges and Elections, on sundry petitions for Managers, by inserting the following, viz. :—Chester District, at McAliley's Mill, Thos. DeGraffenreid, Andrew Crosby and William Colvin, *vice* Coleman Cosby, Thomas R. Colvin and Anderson Mayr, resigned.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The Senate sent to this House, for concurrence, the report of the Joint Committee on Accounts, on the accounts of the Lower Division of the Treasury ; which was read, concurred in, and was ordered to be returned to the Senate.

The Senate and House of Representatives were informed by the Clerks of each, respectively, that the Legislative business was finished, and that they were now ready to adjourn the present session of this General Assembly.

At 9 o'clock, P. M., the SPEAKER adjourned the House of Representatives, agreeably to the joint Resolution of the General Assembly, *sine die*.



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47. To exempt the members of the Palmetto Regiment from all mi- litia and patrol duty,.....	43	73	146	194	80	208 286 289
48. To incorporate Johnson Fe- male University,.....	43	65			118	
49. To relieve Plank Road Compa- nies from the necessity of making returns, unless specially called for by the Legislature,.....	43	61	146	194	79	208 286 289
50. To renew the charter of the Commercial Bank of Columbia, So. Carolina, .....	44	60			143	
51. To re charter the Planters' & Mechanics' Bank of South Carolina,	44	60			143	
52. To establish a Professorship of Agriculture in the South Carolina College,.....	45					

BILLS OF THE HOUSE.

TITLE.	Noice of.....	1st Reading....	2d Reading.....	3d Reading.....	Other proceed- ings.....	Ratioed .....
53. To alter and amend the law in relation to the collection of debts from free persons of color,-----	45	71			107 190	
54. To prevent the marital rights of husbands from attaching on the estates of married women,-----	45	89			152	
55. In relation to the execution of slaves and free persons of color,-----		51	91	150	286	289
56. To open and extend Pitt st., in the town of Mt. Pleasant, to Hibben street,-----		58	96	150	183 286	289
57. To alter the Constitution of this State so as to divide Pendleton into two Election Districts,-----		59	104	171	{ 105 111 112 166 209 286	289 .
58. Making it the duty of Magistrates in their respective Beat Companies to enforce the laws relating to traffic with slaves,-----	59					
59. To provide for the establishment of a general system of births, deaths and marriages in the State of South Carolina,-----	59	82			153 269	
60. To establish boards of direction for Commissioners of Common Schools, and for other purposes,...	60	71			109 232	
61. *To aid in the construction of the Pendleton Rail Road,-----	61	70			122 253	
62. To incorporate German Artillery Company and Charitable Society of Charleston,-----	61	83			101 189	
63. To appropriate \$3,500 for the purpose of erecting a suitable building for the education of the deaf and dumb of this State, at Cedar Springs, Spartanburg District,-----	62	71	231	260	109 264 287	289
64. To renew the charter of the Bank of the State of South Carolina,-----	62	88	198	241	{ 120 121 198 200 201 202 203 204 206 208 250 287	289
65. To define the power of Judges to take the property or imprison the person of citizens without trial by jury,-----	62	169				

## BILLS OF THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other proceed- ings.....	Ratified.....
66. To vest the right, title and interest of the State in the personal estate of Danl. McGill, deceased, in C. McDonald, wife of D. D. McDonald,		69	146	229	240 286	289
67. To amend an Act to provide for the inspection of flour,-----		70	268		119	
68. To prevent obstructions to the passage of fish up Lynch's Creek,--		70	146	193	208 286	289
69. To alter the sittings of the Courts of Law on the Northern Circuit, -----	72					
70. To alter and amend the law in relation to the granting of licenses to sell spirituous liquors,-----	72					
71. To define the liabilities, duties and obligations of Magnetic Telegraph Companies,-----	72	104			152	
72. To incorporate Beaufort Female Seminary,-----	72	189				
73. To incorporate Beaufort Loan and Building Association,-----	72	189				
74. To punish trespasses on real property, -----	72	82	186		100 186	
75. To reduce the number of petty musters, and for other purposes.-	72	82			108 230	
76. To ascertain the will of the people of this State as to the manner in which the Electors of President and Vice President shall be made,--	73					
77. To amend an Act, entitled "An Act to amend the law in relation to the harboring of deserted seamen,"-	73	89			195 268	
78. To re-charter the Union Bank,	73	89			143	
79. To incorporate a new Bank in the city of Charleston,-----	73	89			152	
80. To amend the laws in cases of appeal, -----	73	80				
81. To appoint Commissioners to ascertain and define the proper dimensions and directions of the streets in the town of Moultrieville, and to remove all obstructions to said streets,		79	140	194	208 286	289

BILLS OF THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other proceed- ings.....	Ratified .....
82. To incorporate the village of Cokesbury, .....		79	146	194	208 286	289
83. To authorize the formation of a Volunteer Company within the limits of the 23d Regiment of Infantry, .....		80	146	193	208 286	289
84. To allow William Langston to hawk and peddle in Union District without the payment of the tax now imposed by law, .....		80	146			
85. To amend the law in cases of appeal, .....		81	171		149 154	171
86. To alter and amend the charter of the city of Charleston, so as to make the election of Mayor and Aldermen biennial, and fixing the time for the first Wednesday in November, .....		81				177
87. To amend the charter of the city of Charleston, in relation to the qualification of voters at city elections for Mayor and Aldermen, .....		81				177
88. To authorize the South Carolina Rail Road Company to build a certain bridge over Congaree river, .....	82	89				107
89. To diminish the duties and diminish the salary of Adjutant and Inspector General, .....	82	87			108 164	230
90. Giving to the officers commanding companies the right to hold Courts Martial for trial of all defaulters in company and patrol duty in their respective commands, .....	83	90			108	229
91. To vest all the right, title and interest of the State in and to a certain lot, situate in the town of Greenville, in Willis Allen, .....	83	87				
92. To alter and amend the law concerning the office, duties and liabilities of Sheriffs, .....	83					
93. To alter and amend an Act, entitled "An Act to regulate the sitting of the Court of Appeals, and for other purposes," .....	83	103				122



## BILLS OF THE HOUSE.

TITLE.	Notice of-----	1st Reading-----	2d Reading-----	3d Reading-----	Other proceed- ing-----	Ratified -----
94 To vest in W. H. Trapp the ex- clusive right to navigate Little River,		86	177	261	264 287	289
95. To declare a certain descrip- tion of streams navigable, and for other purposes, -----		88	188			
96. To charter a Bank at Marion C. H., -----	88					
97. To amend the charter of the North Eastern Rail Road Company.	89	103			142	
98. To alter and amend an Act, entitled "An Act to provide for the defence of the State," -----		100	186	266	272 287	289
99 To incorporate the village of Bluffton, in St. Luke's Parish, S. C.		100			186	
100. To amend an Act, entitled "An Act to incorporate the Com- mercial Insurance Company," -----		100	188	266	240 286	289
101. To Incorporate Beaufort Fe- male Seminary, -----		100	189	226	240 287	289
102. To incorporate the Colum- bia and Beaufort Building and Loan Associations, -----		101	189	227	240 286	289
103. In relation to the qualifica- tion of jurors, and for other purposes,		101			197	
104. To alter and amend the amendment to the Constitution of this State, ratified 19th December, A. D. 1810, -----		101			197	
105. To alter and amend an Act, entitled an Act concerning the office and duties of Magistrates, -----		101	189		189	
106. To arrange this State into districts for the election of Repre- sentatives to the Congress of United States, and for other purposes, -----		102	159		{ 126 154 155, 156 157 208 289 286	
107. To establish the line of the channel of Ashley River, adjacent to the city of Charleston, -----	103	115			111 195	280
108. To permit Joseph R. Beare, an alien, to apply for admission to practice in the Courts of Law and Equity in this State, -----	103	124				153

BILLS OF THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other proceed- ings.....	Passed .....
109. To alter and amend so much of the 10th section, 1st article of the Constitution, as relates to two days of election of members of the House of Representatives, .....	103	124			211	
110 To compel each district and parish of this State to pay the expenses of their contested elections for members of either branch of the Legislature, .....	104	125			195	
111. To alter and amend an Act, entitled "An Act to authorize the State to aid in the construction of the Spartanburg and Union Rail Road, .....		107	189	226	240 287	289
112. To incorporate Carolina Mutual Insurance Company of Charleston, .....		109	230	260	264 287	289
113. To alter and amend the Free School Laws of this State, .....		109	231		230	
114. To exempt Robert Hopton, a free person of color, from capitation tax, .....		109	232	260	264 287	289
115. To alter and amend an Act to ascertain and define the powers, duties and liabilities of Masters, Commissioners and Registers in Equity, and to provide for the organization and regulation of their respective offices, .....	110	125			195	
116. To release from pledge the Rail Road shares belonging to the State, .....		117	232	260	264 287	289
117. To authorize the conveyance of lots No. 29 and 30, in the town of Columbia, to James Fuller, on certain conditions, .....		117				
118. To provide for the Savannah River Valley Rail Road Company, .....		118	253	268	272 287	289
119. *To authorize the State to aid in the construction of the Pendleton Rail Road, .....		122	252	268	272 287	289

## BILLS OF THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other proceed- ings.....	Ratified.....
120. *To authorize the State to grant aid in the construction of the Cheraw and Darlington Rail Road,		122	253	268	274 288	289
121. To secure a more perfect accountability on the part of public officers,-----		123				
122. To exempt apothecaries from liability to perform militia duty,-----	125	140			168	
123. To define the principles on which joint stock banks shall be incorporated,-----		141	216		212 214	
124. To authorize a subscription and loan on the part of the State to the Blue Ridge Rail Road Company in South Carolina,-----		141				
125. To incorporate Blue Ridge Rail Road Company in South Carolina,-----		141				
126. To extend the charter of the Bank of the State of South Carolina,		141				
127. *To amend the charter of certain towns and villages heretofore incorporated,-----		142	240	260	264 287	289
128. To incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted,--		143	245	268	274 287	289
129. To re-charter the Planters' & Mechanics' Bank of South Carolina,-----		143				
130. To re-charter Commercial Bank of Columbia, South Carolina,--		143				
131. To re-charter the Union Bank of South Carolina,-----		143				
132. To incorporate certain Societies, Associations and Companies, and for the re-charter of others,-----		148	245	268	272 287	289
133. To establish certain roads, bridges and ferries, and to amend the laws respecting Commissioners of Roads in certain particulars,-----		152	240	268	{ 275 276 279 280 281 283 288	289

BILLS OF THE HOUSE.

TITLE.	Notice of-----	1st Reading-----	2d Reading-----	3d Reading-----	Other proceed- ing-----	Enacted -----
134. To exempt the survivors of South Carolina Volunteers in Florida war, from ordinary militia duty,.	159	170			184	
135. To raise supplies for the year commencing October, 1852,-----		184	250	268	{ 238 274 247 248 250 287	289
136. To make appropriations for the year commencing October, 1852,		184	224	244	{ 217 218 220 223 254 259 287 255	289
137. To vest the right which the State may have in certain real estate in Robert Adger, executor of Christina B. S. Gulden,-----		185			268	
138. To vest certain real and personal property of Arthur J. Counts, deceased, in Elizabeth Counts,----		211				

## BILLS OF THE SENATE.

TITLE.	1st Reading	2d Reading	3d Reading	Other proceed- ings	Revised
1. *To change the day for the election of, and term of office of, the Mayor and Aldermen of the city of Charleston,-----	74	177	225	87 177	289
2. *To vest in Thomas Bennett, his heirs and assigns, all the right, title and interest of the State of South Carolina in two lots of land on Charleston Lines,-----	74	267	274	152 266 288	289
3. To incorporate Johnson Female University,-----	74	177	193	86 288	289
4. To release to Catharine McDonald all the right and interest of the State to certain property,-----	85			152	
5. To confer certain rights on the Hebrew Congregation of Charleston in relation to a piece of land by them held,-----	85			184	
6. To release the right and interest of the State in certain property to Levi Gibson,-----	85			122	
7. To amend an Act, entitled "An Act to provide for the inspection of flour,"-----	85	268	271	146 184 288	289
8. To repeal all Acts and parts of Acts authorizing Ordinaries to take possession of, and administer derelict estates,-----	97			153	
9. To amend an Act, entitled "An Act to amend the laws in relation to the harboring of deserted seamen,"-----	97	268	273	288	289
10. To amend the law in relation to Sheriffs,-----	97				
11. To incorporate the town of Bluffton,-----	115	186	209	123 288	289
12. To punish assaults committed with concealed weapons,-----	115			153	
13. To declare and amend the law in relation to words of limitation in deeds and wills,-----	115	197		153	

BILLS OF THE SENATE.

TITLE.	1st Reading-----	2d Reading-----	3d Reading-----	Other proceed- ing.....	Ratified -----
14. To authorize the State to grant additional aid in the construction of the Spartanburg and Union Rail Road,-----	115			225	
15. To incorporate the Columbia Gas Light Company,-----	121	146	166	142 146 288	289
16. To incorporate the Exchange Bank in town of Columbia,-----	121			194	
17. To renew the charter of the Commercial Bank of Columbia, So. Carolina, -----	138			195	
18. To alter the siting of the Courts of Law on the Northern Circuit,-----	138	266	271	185 288	289
19. To incorporate a Bank in the town of Chester,-----	138			194	
20. To arrange this State into districts for the election of Representatives in the Congress of the United States, and for other purposes,-----	138			168	
21. To establish and incorporate a Bank in the town of Newberry,--	149			194	
22. *To renew the charter of the Planters' & Mechanics' Bank of South Carolina,-----	149	236	261	{ 194 232 233 234 235 236 288	289
23. To renew the charter of the Union Bank of South Carolina,----	150			195	
24. To prevent obstructions to the passage of fish up Lynch's Creek,--	150			184	
25. To alter and amend 6th section of an Act, entitled an Act to amend an Act, entitled an Act to authorize the formation of the Greenville and Columbia Rail Road Company, and an Act to amend an Act to authorize the formation of the Greenville and Columbia Rail Road Company, and for other purposes,-----	150			159 160 210	
26. To confer on Joseph Frank certain rights and privileges in relation to a piece of land by him purchased,-----	150			244	

## BILLS OF THE SENATE.

TITLE.	1st Reading.....	2d Reading.....	3d Reading.....	Other proceed- ings.....	Revised .....
27. To confer on Mark and Isaac Iseman certain rights and privileges in relation to a piece of land by them purchased,.....	150			244	
28. To establish a Bank in the town of Sumterville,.....	166			194	
29. To incorporate the Blue Ridge Rail Road Company in South Carolina,.....	166	253	270	{ 184 253 255 256 258 259 260 288	289
30. To incorporate a Charitable Association by the name of the Church Home,.....	166			184	
31. To incorporate Columbia Building and Loan Association,....	166			184	
32. *To authorize the State to afford aid to the Pendleton Rail Road,.....	182			194 288	289
33. To incorporate the Farmers & Exchange Bank of Charleston,....	182				
34. To alter and amend an Act, entitled an Act to incorporate the North Eastern Rail Road Company,....	182	266	271	184 288	289
35. To revive and amend an Act, entitled an Act to establish and incorporate a Bank in the town of Winnsborough,.....	192			210	
36. To incorporate and establish the Western Bank of South Carolina, to be located in the town of Anderson,.....	192			210	
37. To incorporate the Fireman's Insurance Company of Charleston,....	192	266	270	210 288	
38. To regulate the Agencies of Foreign Insurance Companies,....	192			210	
39. To authorize the South Carolina Rail Road Company to build a certain bridge over the Congaree River,.....	192	252	262	{ 210 251 261 262 269 270 288	289
40. *To vest the right which the State may have in certain real estate in Robert Adger, executor of C. B. S. Gulden,.....	193	266	274	195 288	289

## BILLS OF THE SENATE.

TITLE.	1st Reading.....	2d Reading.....	3d Reading.....	Other proceed- ings.....	Revised .....
41. To extend the charter of the Bank of the State of South Carolina, and to prevent the circulation within the State of Bank notes of a less denomination than five dollars, issued by persons or corporations of other States,.....	208			209 216	
42. To incorporate the Carolina Blues, a Volunteer Company in the town of Columbia,.....	209				
43. To establish and incorporate another Bank in Charleston, to be called the People's Bank,.....	225				
44. To amend the charter of the Wilmington and Manchester Rail Road Company, .....	225			227 244	



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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF SOUTH CAROLINA:

BEING THE

ANNUAL SESSION OF 1853.



COLUMBIA, S. C.

R. W. GIBBES & CO., STATE PRINTERS.

1853.

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**JOURNAL**  
**OF THE**  
**HOUSE OF REPRESENTATIVES**  
**OF THE**  
**STATE OF SOUTH CAROLINA.**

---

MONDAY, NOVEMBER 28, 1853.

General Assembly of the State of South Carolina, begun and held at the Capitol, in Columbia, on the twenty-eighth day of November, in the year of our Lord one thousand eight hundred and fifty-three, on which day, being that fixed by the Constitution for the meeting of the General Assembly,

The Hon. JAMES SIMONS, the Speaker, (a member from Charleston,) and the following Members of the House of Representatives, appeared and took their seats :

*From Abbeville.*—Mr. J. W. Hearst.

*From Barnwell.*—Messrs. J. Patterson, N. G. W. Walker.

*From Charleston.*—Messrs. J. C. Blum, S. Cruikshank, H. C. King, G. N. Reynolds, Jr.

*From Christ Church.*—Mr. T. M. Wagner.

*From Chester.*—Messrs. C. D. Melton and W. A. Rosborough.

*From Chesterfield.*—Messrs. J. W. Blakeney and E. B. C. Cash.

*From Claremont.*—Messrs. J. D. Ashmore, J. T. Green and J. B. Witherspoon.

*From Clarendon.*—Mr. James Epps.

*From Darlington.*—Messrs. J. Ervin Byrd, J. F. Ervin and Edgar W. Charles.

*From Edgefield.*—Messrs. Z. W. Carwile, S. Christie, A. J. Hammond and W. S. Mobley.

*From Fairfield.*—Messrs. R. B. Boylston, H. H. Clarke.

*From Greenville.*—Mr. P. E. Duncan.

*From Kershaw.*—Messrs. A. H. Boykin and J. B. Kershaw.

*From Kingston.*—Mr. Robert Munro, Jr.

*From Lancaster.*—Messrs. W. C. Cauthen and T. K. Cureton.



*From Laurens.*—Messrs. R. E. Campbell, John Hudgens and C. P. Sullivan.

*From Lexington.*—Messrs. John Fox and J. C. Hope.

*From Liberty.*—Messrs. W. W. Durant, W. S. Mullins and W. R. Johnson.

*From Marlborough.*—Messrs. C. A. Thornwell and T. C. Weatherly.

*From Newberry.*—Messrs. J. M. Crosson and R. G. Pitts.

*From Orange.*—Mr. L. E. Cooner.

*From Pendleton.*—Messrs. E. Alexander, Jr., W. S. Pickens and W. D. Steele.

*From Wingaw.*—Messrs. J. Izard Middleton and J. H. Read, Jr.

*From Prince William's.*—Messrs. D. H. Ellis and W. F. Hutson.

*From Richland.*—Messrs. Wade Hampton, Jr., C. T. Howell and W. Maybin.

*From Spartan.*—Messrs. E. C. Leitner, J. W. Tucker and J. Winsmith.

*From St. Bartholemew's.*—Mr. Lewis O'Bryan.

*From St. George's, Dorchester.*—Mr. A. E. Moorcr.

*From St. James', Goose Creek.*—Mr. J. Murray.

*From St. John's, Colleton.*—Mr. Jabez J. R. Wescoat.

*From St. Luke's.*—Mr. R. L. Tillinghast.

*From St. Mathew's.*—Mr. O. M. Dantzler.

*From St. Peter's.*—Mr. A. R. Johnston.

*From Union.*—Messrs. R. Beaty and J. M. Gadberry.

*From Williamsburg.*—Messrs. A. I. McKnight and B. W. Bradley.

*From York.*—Messrs. G. W. Williams and A. S. Wallace.

A quorum of the members being present, the Speaker took the Chair, and the Clerk read the Journal of the proceedings of the last day of the last session.

The SPEAKER announced that pursuant to the order of the House, 14th December, 1852, he had issued a writ of election to supply the vacancy in the Edgefield Delegation, occasioned by the disqualification of Mr. John C. Allen of Edgefield. That pursuant to an order of the 13th December, 1852, he had issued a writ of election to supply the vacancy in the Delegation from Spartan, occasioned by the election of Mr. H. J. Dean to be Clerk of the House. That pursuant to the orders of the 16th December, 1852, he had issued a writ of election to supply the vacancy in the Delegation from Charleston, occasioned by the disqualification of Mr. George A. Trenholm. That in pursuance of information from Mr. Frank Burt of Pendleton, that he had accepted the office of Third Auditor of the Treasury Department of the United States Government, he had, under the Constitutional power lodged in him, issued a writ of election to supply the vacancy in the Pendleton Delegation occasioned thereby. That in pursu-

ance of information from the Hon. L. M. Keitt, of Orange, that he had been elected to the Congress of the United States, he had, under the Constitutional power lodged in him, issued a writ of election to supply the vacancy in the Delegation from Orange occasioned thereby. That in pursuance of information from the Hon. John I. Ingram, that he had been elected Senator for Clarendon, in place of the Hon. John L. Manning, elected Governor of the State, that under the Constitutional power lodged in him, he had issued a writ of election to supply the vacancy occasioned thereby in the Delegation from Clarendon.

Mr. A. G. Campbell, a member elect from Spartan, P. M. Butler, a member elect from Clarendon, John Maxwell, a member elect from Pendleton, and John M. Felder, a member elect from Orange, elected to fill the vacancies occasioned in these Districts respectively, produced their credentials, were sworn, and took their seats.

The return of the Managers of Elections for Edgefield District was then read, and on motion of Mr. MIDDLETON, was ordered *to lie on the table*.

On motion of Mr. ASHMORE,

*Ordered*, That a Message be sent to the Senate, informing that body that this House had met and formed a quorum, and was ready to proceed to business.

On motion of Mr. READ,

*Ordered*, That a Committee be appointed to wait on his Excellency the Governor, and inform him that this House had met and proceeded to business, and was ready to receive any communication he may be pleased to make: Whereupon the SPEAKER appointed Messrs. Read, Wagner, and Ashmore, of the Committee.

The SPEAKER laid before the House the following communication, which was referred to the Committee on the Legislative Library:

COLUMBIA, November 28, 1853.

*To the Hon. James Simons,*

*Speaker of the House of Representatives:*

MY DEAR SIR—Having for many years been engaged in collecting Documents and Original Manuscripts relating to the Revolution, I have recently published a volume of them. Will you be kind enough to present the accompanying copy to the House of Representatives, with my respects,

Very truly yours,

ROBT. W. GIBBES, M. D.

The SPEAKER, under the amendments of the 60th Rule of this House, called in alphabetical order the several judicial Districts, for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, when

The Senate, by their Clerk, informed the House that a quorum had assembled, had elected Mr. Isaac Mazyck, Reading Clerk, and were ready to proceed to business.

Mr. PATTERSON submitted the Presentment of the Grand Jury of Barnwell District, for Fall Term, 1853.

So much thereof as relates to taxes raised by the several Boards of Commissioners was referred to the Committee of Ways and Means.

So much thereof as relates to the Commissioners of the Poor, was referred to the Committee on District Offices and Officers.

So much thereof as relates to Commissioners of Free Schools, was referred to the Committee on Education.

So much thereof as relates to the Commissioners of Roads, was referred to the Committee on Roads, Bridges, and Ferries.

So much thereof as relates to the Report of the Commissioners of Public Buildings, was referred to the Committee on Public Buildings.

Mr. A. R. JOHNSTON presented the Accounts of Dr. N. H. Johnston and Dr. Sydney Smith, which were severally referred to the Committee on Claims.

Mr. JOHNSTON also presented the Return of the Commissioners of Free Schools for St. Peter's Parish for 1853, and

Mr. HUTSON the returns of the Commissioners of Free Schools for Prince William's Parish, for 1853, which were severally referred to the Committee on Education.

Mr. READ, from the Committee appointed to wait on his Excellency the Governor, reported that they had performed that duty, and that his Excellency would communicate to this House to-morrow at 1 o'clock, P. M.

Mr. WAGNER presented the Report of the Commissioners appointed to open and extend Pitt street, in the town of Mt. Pleasant, to Hibben street, which was referred to the Committee on Roads, Bridges, and Ferries. Also,

The returns of the Commissioners of Free Schools for Christ Church Parish, for 1853; which was referred to the Committee on Education.

Mr. KING presented the account of Dr. J. P. Chazal, which was referred to the Committee on Claims.

Mr. MELTON presented the Return of Commissioners of Free Schools for Chester District for 1853; which was referred to the Committee on Education.

Mr. O'BRYAN presented the petition of David Sestrund, praying paying payment for writs of election; which was referred to the Committee on Claims.

Mr. O'BRYAN also submitted the Presentment of the Grand Jury of Colleton District, for Fall Term, 1853.

So much thereof as relates to the Jail, was referred to the Committee on Public Buildings.

So much thereof as relates to a Penitentiary, was referred to the Committee on the Judiciary; and

So much thereof as recommends that the poor lands be sold and the money given to the Commissioners of the Poor, was referred to the Committee on District Offices and Officers.

Mr. BOYLSTON presented the accounts of Dr. James J. McCants and of Dr. C. H. Durham, for post mortem examinations; which were referred to the Committee on Claims. Also,

The petition of Drs. Jno. B. Davis and J. F. Davis, praying compensation for services; which was referred to the Medical Committee.

Mr. MIDDLETON presented the memorial of the Commissioners of Public Buildings of Georgetown District, praying for an appropriation; which was referred to the Committee on Public Buildings.

Mr. KERSHAW submitted the Presentment of the Grand Jury of Kershaw District, for Spring Term, 1853.

So much thereof as relates to the appeal from the Commissioners of Roads, was referred to the Committee on Roads, Bridges and Ferries.

So much thereof as relates to negroes owning dogs and raising stock, was referred to the Committee on the Colored Population; and

So much thereof as relates to the Jail, was referred to the Committee on Public Buildings.

Mr. KERSHAW also presented the petition of the Bank of Camden, praying a re-charter; which was referred to the Committee of Ways and Means.

Also, the memorial of James M. Collin, late jailor, praying compensation; which was referred to the Committee on Colored Population; and

Also, the petition of citizens of Camden and Kershaw District, praying that the South Carolina Rail Road Company be authorized to construct a certain bridge over the Wateree River; which was referred to the Committee on Internal Improvements.

Mr. CAUTHEN presented the petition of James Adams, ex-Sheriff of Lancaster; which was referred to the Committee on Claims;

Also, the petition of John G. Bowman, for compensation for loss sustained in Florida war; which was referred to the Committee on the Military.

Mr. HOPE presented the petition of G. M. Falmer, Magistrate, and the petition for the appointment of a Magistrate in Lexington District in his stead; which was referred to the Committee on Vacant Offices.

Mr. WEATHERLY presented the Report of the Commissioners of Free Schools for Marlborough District, for 1853; which was referred to the Committee on Education.

Mr. MAYBIN presented the petition of sundry members of the Society

of Odd Fellows of Columbia, praying for incorporation as the Eutaw Encampment, No. 2, I. O. O. F. of Columbia.

Mr. HAMPTON presented the petition of J. J. O'Connell and others, praying the charter of a Literary Institution ; which were severally referred to the Committee on Incorporations.

Mr. HAMPTON also presented the accounts of Dr. R. W. Gibbes for Richardson's Equity Reports, and for making a post mortem examination ; which were severally referred to the Committee on Claims.

Mr. WINSMITH presented the petition of sundry citizens of Spartanburg District, praying the discontinuance of one, and the establishment of two new places of election ; which was referred to the Committee on Privileges and Elections.

Mr. LEITNER presented the petition of William Jackson to manumit his wife and children ; which was referred to the Committee on the Colored Population.

Mr. ASHMORE presented the petition of Daniel Keels, praying compensation, and

The account of Gilbert & Fraser ; which were severally referred to the Committee on Claims.

Also the petition of sundry citizens of Sumter, praying that the road from Lynchburg to Lynch's Creek be re-opened, and said stream bridged at Durant's old Ferry ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. GADBERRY presented the claim of Milton Goudelock for post mortem examination ; which was referred to the Committee on Claims.

Mr. WILLIAMS presented the petitions of sundry citizens of York against the opening of a public road in that District, and of the Commissioners of Roads for York District, with a similar prayer ; which were severally referred to the Committee on Roads, Bridges and Ferries, and

Also the account of L. M. Grist for publishing notice of election ; which was referred to the Committee on Claims.

Mr. CLAWSON presented the return of the Commissioners of Free Schools for York District ; which was referred to the Committee on Education.

Also the account of Dr. J. W. McNeil for post mortem examination.

The petition of Mrs. E. S. Dunlap for compensation for damages sustained from the opening of a public road through her land in York District.

The account of Alexander Strains for service rendered the State, and

The account of Thomas J. Eccles for public printing ; which were severally referred to the Committee on Claims.

Also the petition of sundry citizens of Beat No. 1, York District, praying an additional magistrate ; which was referred to the Committee on District Offices and Officers, and

Also the petition of sundry citizens of York District, praying the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

The SPEAKER then proceeded to call for the Reports of Committees in their order.

Mr. HAMPTON asked and obtained leave to present the account of the Clerk of the Court of Appeals in Columbia for services under the Resolution of 16th December, 1851; which was referred to the Committee on Claims.

Mr. REYNOLDS asked and obtained leave to present the petition of the President, Directors, and Stockholders of the State Bank for renewal of Charter, and

Mr. BLUM asked and obtained leave to present the memorial of the Bank of South Carolina, praying renewal of Charter; which were severally referred to the Committee of Ways and Means.

The SPEAKER, under the amendments to the 60th Rule of the House, called in alphabetical order of Judicial Districts for Resolutions, Bills, or Motions.

Mr. TILLINGHAST gave notice that he will ask leave to-morrow to introduce a bill to repeal the 6th section of an Act entitled "An Act to extend the Charter of the Bank of the State of South Carolina," passed 16th December, 1852.

Mr. TILLINGHAST introduced the following Resolution, which was ordered for consideration immediately, and was agreed to:

*Resolved*, That accounts for *post mortem* examinations under A. A. 1851, be hereafter handed to the Comptroller, to be audited by him with other contingent accounts.

Mr. HUTSON gave notice that he will ask leave to-morrow to introduce a Bill to declare and amend the law in relation to words of limitation in deeds and wills.

A Bill to amend the law in relation to attesting wills.

A Bill to amend the law in relation to Ordinances.

A Bill to repeal an Act entitled "An Act to increase the amount of property exempt from levy and sale," and

A Bill to alter the License Law of this State.

On motion of Mr. CHRISTIE, the returns of the Managers of Elections for Edgefield District was taken up.

Mr. CHRISTIE presented the protest of S. S. Tompkins to the returns, and accompanying documents.

Mr. MIDDLETON moved that the return of the Managers, the Protest of S. S. Tompkins, and the accompanying documents be referred to the Committee on Privileges and Elections.

Mr. HUTSON proposed as an amendment to Mr. Middleton's motion,

that in the meantime Mr. J. C. Allen, the member returned as elected from Edgefield, be qualified, and the motion as amended was agreed to.

Mr. ALLEN appeared, was qualified, and took his seat.

Mr. KERSHAW gave notice that he will ask leave to-morrow to introduce a Bill to re-charter the Bank of Camden, South Carolina,

A Bill to authorize the South Carolina Rail-Road Company to build a certain Bridge on the Wateree River, and

A Bill to alter and amend the law in relation to Sheriffs.

Mr. MULLINS obtained leave to withdraw from the files of the House the account of Dr. A. W. Bithea.

Mr. ASHMORE gave notice that he will ask leave to-morrow, to introduce

A Bill to repeal the 5th section of an Act passed at the Session of the General Assembly on the 4th of December, 1852, entitled an Act to extend the Charter of the Bank of the State of South Carolina. Also a Bill to secure to Defendants in the Sessions, like process with the State, in all cases to procure the attendance of witnesses, and allowing State witnesses compensation for attendance on the Courts; and

Also a Bill to compel the Commissioners of Roads for Salem County, Sumter District, to re-open the road from Lynchburg to Lynch's Creek, known as a part of the Direct Road, leading by way of Muldrow's Crossing from Sumterville to Darlington Court House, and conjointly with the Board of Commissioners for Darlington District, to bridge the stream of Lynch's Creek at Durant's old Ferry.

Mr. GADBERRY gave notice that he will ask leave to-morrow to introduce a Bill to alter the sitting of the Courts of Law on the Northern Circuit.

On motion of Mr. BOYLSTON, ordered that when this House adjourns, it shall be adjourned to meet at 12, M., to-morrow; and

On motion of Mr. BOYLSTON, the House was adjourned at twenty-five minutes past two, P. M.

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TUESDAY, NOVEMBER 29, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following additional members attended and took their seats:

*From Abbeville.*—Messrs. Thomson, McGowan, and Jordan.

*From Barnwell.*—Mr. Owens.

*From Charleston.*—Messrs. Burnet, Lesesne, Poppenheim, Seigling, Torre, McCrady, Elliott, Mitchell.

*From Chester.*—Mr. Tillman Ingram.

*From Greenville.*—Mr. B. F. Perry.

*From Laurens.*—Mr. Anderson.

*From Liberty.*—Mr. W. R. Johnson.

*From Newberry.*—Mr. Garlington.

*From Pendleton.*—Messrs. Sloan, Broyles.

*From Prince George, Winyaw.*—Mr. Manigault.

*From Spartan.*—Mr. Bates.

*From St. Bartholomew's.*—Messrs. J. B. Perry and Peter Stokes.

*From St. Paul's.*—Mr. Haskell.

*From Union.*—Mr. Rice.

*From York.*—Mr. Springs.

The SPEAKER announced that Mr. A. G. Campbell is added to the Committees on Claims and on Pensions, Mr. Butler to the Committees on Agriculture and Roads, Bridges and Ferries, Mr. Felder to the Committees on Claims and on Printing, Mr. Maxwell to the Committees on Agriculture and on Incorporations, Mr. Allen to the Committees on Internal Improvements and on Pensions.

Mr. G. A. TRENHOLM, a member elect from Charleston, appeared, produced his credentials, was sworn, and took his seat.

The SPEAKER, under the amendments of the 60th Rule of this House, called, in alphabetical order, the several Judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, when

Mr. MCGOWAN presented the petition of A. M. Quattlebaum, for compensation for money expended and services rendered in reference to the execution of slaves, and

The petition of S. F. Stephens and John C. Lanier, for compensation for post mortem examinations; which were severally referred to the Committee on Claims.

Also the petition of the Commissioners of Public Buildings of Abbeville for leave to sell a portion of the jail lot, and for a further appropriation to build a jail; which was referred to the Committee on Public Buildings.

Also the petition of the Baptist Church at Broadmouth, Abbeville District, for an extension of their Act of Incorporation; which was referred to the Committee on Incorporations, and

Also the petition of Thomas R. Packett, to recharter Johnson & Packett's Ferry across the Saluda River; which was referred to the Committee on Roads, Bridges, and Ferries.



Mr. HEARST presented the petition of Daniel Roundtree, for compensation for injury from the opening of a public road; which was referred to the Committee on Claims.

Also the petition of the United Congregation of Cedar Springs and Lower Long Cane, of the Associate Reformed Presbyterian Church, praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. THOMSON submitted the presentment of the Grand Jury of Abbeville for Spring Term, 1853.

So much thereof as refers to the inefficiency of our District Police System, and the propriety of a change, was referred to the Committee on District Offices and Officers.

Mr. SLOAN presented the petition to discontinue part of a road leading from Pendleton to Haw's Ferry, and the counter petition thereto; which were referred to the Committee on Roads, Bridges and Ferries.

Also a petition to renew the Act incorporating the Village of Pendleton; which was referred to the Committee on Incorporations.

Mr. MAXWELL presented a petition relative to weights and measures; which was referred to the Committee on District Offices and Officers.

Mr. PATTERSON presented the petitions of D. A. Bonnett and of A. A. Bonnett, praying to be refunded a double tax; which were referred to the Committee of Ways and Means, and

Also the claim of R. W. Walker, for blankets furnished prisoners in jail; which was referred to the Committee on Claims.

Mr. A. R. JOHNSTON presented the petition of Margaret Moore, praying to be refunded a tax twice paid; which was referred to the Committee of Ways and Means.

Mr. ELLIS presented a petition of sundry citizens of Prince William's for a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. WAGNER presented the petition of the Mount Pleasant Ferry Company for amendment of their Charter, and

The petition of the Independent or Congregational Church of Wappetaw for recharter; which were severally referred to the Committee on Incorporations.

Mr. LAWTON presented the petition of the Deacons of the Black Swamp Baptist Church, praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Also the claim of Dr. D. M. Lafitte, for post mortem examination; which was referred to the Committee on Claims.

Mr. KING presented the memorial of the Santee Canal Company.

Mr. SEIGLING presented the petition of the German Settlement Society, praying incorporation; the petition of the German Fire Company of Charleston, praying renewal of Charter; and the petition of the German Ladies Benevolent Society praying incorporation; and

Mr. TORRE presented the petition of the Fireman's Insurance Company of Charleston, "praying an amendment of their charter;" which were severally referred to the Committee on Incorporations.

Mr. REYNOLDS presented the account of Dr. H. W. DeSaussure against the State of South Carolina, for a post mortem examination; which was referred to the Committee on Claims.

Also the report of the Attorney General on the condition of public offices; which was referred to the Committee on the Judiciary; and

Also the return of the Commissioners of Free Schools for City of Charleston; which was referred to the Committee on Education.

Mr. REYNOLDS also submitted the Presentment of the Grand Jury for Charleston District, Fall Term, 1853; so much thereof as relates to the jail is referred to the Committee on Public Buildings, and

So much thereof as relates to the establishment of a Penitentiary, was referred to the Committee on the Judiciary.

Mr. SEIGLING presented the petition of the Washington Light Infantry, Moultrie Guards, German Riflemen, and Meagher Guards; which was referred to the Committee on the Military.

Mr. POPPENHEIM presented the petition of William Gregg and of James Jones, praying that the navigation of Horse Creek, in Edgefield, be regulated; which was referred to the Committee on Internal Improvements.

Mr. TORRE presented the memorial of the Faculty of the Medical College of South Carolina, praying aid from the State; which was referred to the Medical Committee.

Mr. LESESNE presented the petition of sundry residents of Charleston, praying incorporation of a bank, to be called the Central Bank of South Carolina.

Also the petition of the Bank of Charleston, South Carolina, praying for a renewal of their charter; which were severally referred to the Committee of Ways and Means.

Mr. MITCHELL presented the petition of the Charleston Gas Light Company, praying an extension of charter and increase of capital; which was referred to the Committee on Incorporations.

Also the petition of William Butler, Robert Butler, Robert Gordon, and Julia his wife, relative to escheated property, and

The petition of Mary Lynas, praying a release of the escheat in the real estate of Michael Lynas, deceased; which were severally referred to the Committee on the Judiciary.

Mr. BURNET presented the account of the Charleston Mercury for public printing; which was referred to the Committee on Claims.

Mr. MELTON presented the petition of sundry citizens of Chester, praying the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries, and

The petition of sundry citizens of Chester District, praying the establishing of a new place of election; which was referred to the Committee on Privileges and Elections.

Mr. INGRAM submitted the presentment of the Grand Jury of Chester District, Fall Term, 1853.

So much thereof as relates to the enacting of laws relative to the liabilities of Railroads for killing cattle, was referred to the Committee on the Judiciary.

So much as relates to the Commissioners of Roads was referred to the Committee on Roads, Bridges and Ferries.

Mr. BLAKENEY presented the return of the Commissioners of Free Schools for Chesterfield District, 1853, which was referred to the Committee on Education.

Mr. STOKES presented the petition of Joseph Tucker, praying for the charter of a ferry at "Good Hope Landing," on Edisto River, in St. Bartholomew's Parish; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. PERRY presented the return of Commissioners of Free Schools for St. Bartholomew's Parish for 1853; which was referred to the Committee on Education.

Mr. CHARLES presented the return of the Commissioners of Free Schools for Darlington District for 1853; which was referred to the Committee on Education.

Mr. BYRD presented the petition of P. D. Stokes, praying compensation for services rendered; which was referred to the Committee on Claims.

Mr. BYRD also submitted the presentment of the Grand Jury of Darlington, Spring Term, 1853.

So much thereof as relates to improving the Court House, was referred to the Committee on Public Buildings, and

So much thereof as relates to a Digest of Laws now of force, was referred to the Committee on the Judiciary.

Mr. MITCHELL presented the petition of M'Carter & Co., praying a subscription on behalf of the State to the republication of M'Cord's Reports; which was referred to the Committee on the Judiciary.

Mr. BYRD submitted the presentment of the Grand Jury for Darlington, Fall Term, 1853.

So much thereof as recommends the payment of costs by prosecutors in certain cases, and

So much thereof as recommends the building of a Penitentiary, were referred to the Committee on the Judiciary.

Mr. MOBLEY presented the petition of sundry citizens of Edgefield, praying an additional place of election; which was referred to the Committee on Privileges and Elections.

Also the petition of sundry citizens of Edgefield, praying an alteration in the license law; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CHRISTIE presented the Return of Commissioners of Free Schools for Edgefield for 1853; which was referred to the Committee on Education.

The petition for recharter of the Town of Edgefield, which was referred to the Committee on Incorporations.

The petitions for a Road from Rosemans and Payne's Ferry on Saluda River, by Mt. Enon, to Thomas Coleman's, and the counter petition; which were referred to the Committee on Roads, Bridges and Ferries.

Mr. HAMMOND presented the petition of sundry citizens of Hamburg, So. Ca., praying amendments to the Charter of Incorporation of the said town, and

The petition of George Boswell and others, praying an Act of Incorporation for Sweet Water Seminary; which were severally referred to the Committee on Incorporations.

Also the petition of Mary J. Burt and others, praying charter of a Ferry across Savannah River, known as Scott's Ferry; which was referred to the Committee on Roads, Bridges and Ferries.

Also the petition of the Stockholders of the Bank of Hamburg, praying renewal of Charter; which was referred to the Committee of Ways and Means.

Mr. CARWILE presented the petition of sundry citizens of Edgefield, praying the opening of a new road, and the chartering of a ferry across Savannah River, to be known as Howle's Ferry, and

The petition of Levi H. McDaniel and others, praying recharter of a ferry across Savannah River, known as Kilcrease's Ferry; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. MIDDLETON presented the account of the disbursement of the transient Poor Fund of Georgetown, and a petition for increase of appropriation; which was referred to the Committee of Ways and Means.

Mr. B. F. PERRY presented the petition of sundry citizens of Greenville, praying discontinuance of a road ordered to be laid out by the Legislature; which was referred to the Committee on Roads, Bridges and Ferries.

The petition of Milly Ward for arrears of pension ; which was referred to the Committee on Pensions.

The petition of N. A. McDaniel, Sheriff of Greenville, praying compensation for feeding the Jury of Spring Term, 1853 ; which was referred to the Committee on Claims, and

The petition of Thomas S. Arthur, praying the reincorporation of the Episcopal Church at Greenville ; which was referred to the Committee on Incorporations.

Message No. 1, was then received from His Excellency the Governor, and read by Mr. J. P. Richardson, his Private Secretary.

### GOVERNOR'S MESSAGE NO. 1.

EXECUTIVE DEPARTMENT, }  
Columbia, November 29, 1853. }

*Gentlemen of the Senate  
and House of Representatives :*

Allow me to congratulate you upon assembling again, under the most auspicious circumstances, to legislate upon the affairs of South Carolina, and by the enactment of new laws, and the establishment of fresh precedents for her future government, to promote her moral and social welfare, improve and develop her internal resources, and to increase her commercial and political importance among neighboring States and nations.

Whilst the Constitution, under whose provisions you are here assembled, imposes upon you that highest of all social responsibilities, the task to provide for the welfare of the people of the commonwealth, upon me devolves the subordinate obligation to lay before you, from time to time, information of its condition, and to make such recommendations as I shall judge necessary and expedient. The absence of a comprehensive political experience enables me but imperfectly to meet all the requirements of such a duty. In inviting, therefore, your co-operation to the recommendations which I shall make, your wisdom and experience will carry into effect those which are advantageous ; and for the rest that is demanded by the wants of the State, a safer reliance cannot be placed than in that patriotism and enlightened view of public policy, which, under all circumstances, either in peace or in times of trial, have characterised your legislation.

The year which is past has been one of signal prosperity to the State. Not only has it been characterized by an unusual degree of health, but every department of industry exists in a condition of thrift and prosperity. Although the growers of cotton are not reaping as large a yield for their labor as they at one period anticipated, yet the present fair price for

their staple and a comparative freedom from debt place the planters in a condition of greater independence than they have enjoyed at any previous time. Their property, both real and personal, is greatly increased in value, and fresh sources of revenue are opened to them, by new, convenient, and more expeditious means of communication with the metropolis, and other market towns. Improved modes of tillage, and the importation from abroad of fertilizers for their lands, are adding each year large amounts to the income of the State, and are fast laying the foundation of a steady improvement, and permanent wealth. If possible, the results of the year's labor among the tide-water planters are even more flattering. The season has been free from flood or unusual gales, and the summer rains have placed at their disposal an abundance of fresh water, for the luxuriant growth of the grain. The harvest has been heavy, and the high prices which their grain crop at present commands make it the most prosperous of all the agricultural interests of the State—as indeed it usually is in the absence of those calamities which sometimes affect it. In addition to these facts, in this summary of the condition of the State, the City of Charleston, exempted as it has been during the summer from every sort of epidemic, and presenting in its bills of mortality a condition of health which will compare favorably with those of any city upon the continent, has had a tide of commerce poured into her lap, which she has never before received. Both the domestic and foreign importations into the city have been unusually large, and sales have already been effected to an extent nearly as great as in the entire business season of other years. Rail Roads leading into the interior, and into regions beyond the State limits, which have hitherto been in the progress of construction, are now performing their proper functions, and conferring their expected benefits. This, together with the great health of the city, has brought to her markets new and valuable customers, and the daily increasing facilities by Rail, to points still more distant, will, at no remote period, convert the present confines of the city into the more extended limits of a great metropolis.

The subjects to which I shall chiefly call your attention, are the Finances of the State, the condition of the Blue Ridge Rail Road enterprise, Popular Education, and subjects connected therewith, the condition of the Asylum for the Insane, the Construction of a new Capitol, the question of Boundary between Georgia and South Carolina, the laws regarding Colored seamen, and to one of the articles of the Consular convention between the government of the United States and His Majesty the Emperor of the French.

I herewith submit to you an abstract of the condition of the finances of the State, together with a statement of the condition of the Bank of

the State, on the 1st October, which is the end of the fiscal year. For that period, the result of its operations cannot be otherwise than satisfactory.

The profits of the Bank during the year have amounted to \$330,000, exceeding the profits of the previous year \$21,594.93. From these profits have been paid the interest on the Fire Loan debt, \$100,963, and the balance carried to the sinking fund amounts to \$229,037. The account exhibits a larger balance than usual; but the Bank has advanced to contractors for arms, &c., about \$51,000, which is a set off against this balance. The sum of \$75,500 has also been advanced to the Greenville Rail Road Company, which is the amount of assessment on the stock held by the State in that Company, and which, if paid by the State, will make a farther reduction of the cash balance in the Treasury. The Bank holds the notes of the Company, with security, for the amount of the advance.

The funded debt due by the State on the 1st October, consisted of	
5 per cent. Fire Loan Bonds, payable in London, '58	
and '68.....	\$937,777 78
6 per cent. Fire Loan Stock, payable '60 and '70.....	805,590 15
6 per cent. of 1839 (balance past due not bearing interest)	8,418 30
5 per cent. 1838, balance.....	45,214 34
3 per cent. at nominal value \$117,438 40, but at market price, would amount to.....	73,986 19
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	\$1,870,986 76

The Treasury has paid from the sinking fund since 1st October, \$6,032 50 of the 6 per cents. of 1839, reducing the balance to \$2,385 80. The Bank also holds of the 5 per cent. stock of 1838 the sum of \$6,679 11, and also \$7,441 53 of the 3 per cents., which was purchased with the sum of \$4,688 16. The amount of indebtedness is diminished by these several payments and purchases.

The assets of the State consist of the Bank and various Rail Road stocks. The assets under the charge of the Bank may be summarily set down as follows:

Total Funds in the Bank as exhibited by the Annual Statement 1st October.....	\$7,919,932 49
Deduct Bank Liabilities, Issues, Deposits, &c.....	4,086,590 22
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Balance being Assets, the property of the State.....	\$3,833,342 27
South Carolina Rail Road and Bank Stock.....	641,000 00
Greenville Rail Road Company.....	348,000 00
Wilmington and Manchester Rail Road Company.....	200,000 00
Charlotte and Columbia Rail Road Company.....	69,200 00

King's Mountain Rail Road Company.....	50,000 00
Laurens Rail Road Company.....	34,000 00

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\$5,175,542 27

In addition to the funded debt due by the State there is due to the Bank the sum of \$177,691 22 for cash paid to the South Carolina Rail Road Company, when \$25 per share on the stock of that Company was called in. As the whole par value of the stock is set down among the assets of the State, it is necessary to notice this debt in an estimate of her finances.

The item of \$51,000 advanced to contractors for supplying arms under contracts made by the late Board of Ordnance previous to its abolishment at the last session, was paid by the Bank upon a representation of the facts of the case from this department.

The late Board of Ordnance was empowered, under the act providing for the military defence of the State, passed in 1851, to make contracts for arms and munitions of war to the extent of \$300,000. The board, during its existence, made contracts to the full extent of the appropriation; and all moneys due contractors were drawn by orders from the Executive upon the Treasury. In entering upon the discharge of the duties of my office, I found the balance of \$51,000 still due, and all of the contracts fulfilled according to stipulations. I accordingly gave a draft upon the Treasurer for a portion of the amount still due; but that officer did not regard himself authorised by law to pay the draft, as no especial authority had been given to the Executive to draw funds for this purpose after the ordnance board had been abolished. Under these circumstances, I presented the matter to the consideration of the President of the Bank, and advised the payment of these sums by the Bank, in order to avoid the injury which would inevitably result to a portion of the contractors with the State, and great embarrassment to all of them. The President, with his accustomed liberality of views, at once acceded to my wishes, and by his timely relief, prevented much distress, if not positive ruin, to deserving individuals who had been fostered into existence by the State as manufacturers of arms. I trust that the course which has been pursued will meet with the approval of the Legislature.

By the act of incorporation of the Blue Ridge Rail Road Company, passed by the last General Assembly, the guarantee of the State upon the bonds of the Company, to the extent of \$1,250,000 was secured, upon the following conditions: First, that \$500,000 should be previously subscribed to the capital stock of the said Blue Ridge Rail Road Company, in South Carolina, by responsible persons, companies or corporations. Secondly, that such subscriptions should be made, or aid furnished to the



Rail Road Companies in North Carolina and Tennessee, designed to connect with that portion of the Road lying in this State, as would give reasonable assurance of the construction of the said North Carolina and Tennessee Roads. These conditions have been complied with. The City of Charleston has subscribed \$500,000 to that portion of the Road lying within this State; and Messrs. Anson Bangs and Co. have contracted for the construction of the entire Road, from Anderson, in this State, to Knoxville, in Tennessee, which renders the connection not only reasonably assured, but as certain as any enterprise of such an extent can be. By the terms of this agreement the contractors are to receive in payment one half in cash, and the other half in capital stock and mortgaged bonds of the Company. By this mode of payment, the ultimate estimated cost of the Road is brought much more nearly within the scope of the resources of the Company than is usual in enterprises of such magnitude. At rates agreed upon with contractors, the entire cost of the Road, from Anderson to Knoxville, in Tennessee, together with necessary appurtenances, including interest accruing upon the bonds of the Company until the completion of the Road, will amount to the sum of about \$7,500,000. To meet this outlay, the Company estimate their resources as follows, viz :

Subscription by the City of Charleston to the Blue Ridge Rail Road in South Carolina,-----	\$ 500,000
Subscription by the same to Blue Ridge Rail Road in Georgia,-----	549,000
Subscription of Knoxville and Charleston Rail Road Company,-----	500,000
Other subscriptions, estimated at,-----	151,000
State endorsement of Bonds of the Company,-----	1,250,000
Estimated amount of Stock and Bonds to be issued to Messrs. Bangs & Co., being one-half of \$7,500,000,-----	3,750,000
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	\$6,700,000

It will thus be seen, that the means of the Company will fall short of the estimated cost of the work about \$800,000.

This enterprise is undoubtedly the wisest and the greatest which has ever been projected in this State, and the ultimate results will be as beneficial to her interest proportionably, as the great Western lines of Road to New York, or the Baltimore and Ohio Rail Road now are to each of those cities respectively, and commenced under circumstances much more favorable to its completion. It is a more important measure than the proposed Charleston, Louisville and Cincinnati Rail Road, because it is a shorter route embracing all the advantages of the other, and is less liable to the diversions of trade from the valleys beyond the Alleghanies, owing to its peculiar location. By an arrangement shortly to be consummated,

the Charters granted in Georgia, North Carolina and Tennessee, will have all their privileges ceded to the Blue Ridge Rail Road Company in South Carolina, so that the latter named corporation will exercise entire control over the affairs of the whole line of Road. By this it will be seen that all means have been adopted to give security to whatever capital the State, or citizens within the State, may contribute to this great work, by confining the control of its affairs altogether within our own borders. To perpetuate this power is in the highest degree desirable. It will give to the State the indefeasible right to a Rail Road communication from Knoxville, in Tennessee, to Charleston, and the exclusive power to control and manage the affairs of this Company: thus establishing in perpetuity a highway of trade and travel from the remote West, to our own seaports, the value and importance of which can hardly be estimated.

In addition to these results from abroad, the effects of such a highway of trade and travel through the State will exercise a great influence upon her internal prosperity. The improvement of the upper portions of the State, the increase in the value of property, the many increased facilities it will give for commerce—the employment of their labor in construction, the expenditure of large sums among them for material and mechanical skill, and the increased value that will be given to Stock in Rail Road Companies already in existence, in which the State also is largely interested, are considerations which must influence your calm judgment to promote by every safe and judicious means the successful accomplishment of this great work.

By the communication which was established by the Charter between this Department and the Blue Ridge Rail Road Company, I have been enabled to ascertain, that by the terms of contract between Messrs. Bangs & Co., the work was to be commenced on the first of this month—and that a large portion of the surveys are completed and found to present fewer obstacles than was at first supposed—a location has been made for tunnelling the Blue Ridge, and work allotted to contractors,—that their preliminary arrangements are in a state of forwardness,—that the Districts through which the Road will pass in this State will abundantly supply all the necessary labor,—that the citizens both in this State and beyond it have with extraordinary unanimity ceded the right of way without compensation,—and that every circumstance tends favorably to an early and thorough completion of this enterprise, which was projected by the President and Company with so much patriotism and zeal, and prosecuted with such signal industry and ability.

I have thus laid before you at some length, but as briefly as possible, all the facts in my possession with regard to the condition of the Blue Ridge Railroad enterprise. I now recommend that the State

subscribe to the capital Stock of the Company the sum of \$750,000, in order to put the enterprise beyond the reach of ordinary reverses, and in this way to secure to the citizens residing in this State the control of a majority of the Stock of the Company, in reference to the contingencies which may frequently arise, where the trade and commerce is to be controlled for our benefit. Nor would such a step be unusual or partial, since the Legislature has not only extended important aid to Rail Roads constructed entirely within the State, but to Roads which have been projected beyond its limits, as in the case of the Charleston, Louisville and Cincinnati Rail Road, and in the Wilmington and Manchester Rail Road. The endorsement of the Bonds of the Blue Ridge Rail Road Company cannot be regarded as a subscription, for it is totally dissimilar in its character, and far less beneficial in its operation. In the one case the State becomes a copartner, and risks her capital and awaits the distant returns of dividends; in the latter case she simply makes herself liable as an endorser, and takes the first mortgage on the property of the Stockholders to secure herself against the possibility of loss.

Undoubtedly the most important measure which I shall bring to your consideration, is the reformation of the present system of Public Instruction in the State.

If, as has been frequently stated, education is the cheap defence of nations, and the permanence of republican institutions depends upon the enlightenment of their citizens, you have but little security for the prosperity and happiness you now enjoy. Education has been provided by the Legislature but for one class of the citizens of the State, which is the wealthy class. For the middle and poorer classes of society it has done nothing, since no organized system has been adopted for that purpose. You have appropriated seventy-five thousand dollars annually to Free Schools, but under the present mode of applying it, that liberality is really the profusion of the prodigal rather than the judicious generosity which confers real benefit. The few who are educated at the public expense in those excellent and truly useful institutions, the Arsenal and Citadel Academies, form almost the only exception to the truth of this remark. No State can boast of nobler institutions than the South Carolina College and the Military Schools. One has already conferred untold benefits on the State. In it have been nurtured for half a century most of the character and genius of South Carolina, and it is now sustaining her reputation for scholarship and intellect,—the others are dispensing such scientific and practical knowledge as becomes more sensibly felt each succeeding day. Both ought to receive, as every way worthy, a continuation of your care and benefactions. But still there is wanting a system of public instruction, which will educate better, and in greater number the youth of the State of

all classes of her population. It should not be an eleemosynary proffer to those whose pride and ignorance make them either reject the gift, or receive it without benefit or gratitude, but rather a fountain flowing for all, at which they may freely partake. Upon the same school forms and by the same masters should be taught the elements of education to all the youths of the State; and let those whose tastes or means enable them to do so, pursue those other avenues of knowledge which will lead them to a more ambitious eminence, and a wider field of display. But let the basis of the education of the young of the State be laid in her primary schools. This will afford that patronage which is necessary for the support of any system. It will not be done immediately; but by pursuing a judicious design to be carried into effect by capable individuals, this end will be ultimately accomplished.

Such a design does not preclude the existence of private schools. Extend instruction and the more instruction will be required. Pierce this barrier of prejudice and ignorance, which refuses all approach to the adoption of better views of public instruction, and for one school already established, fifty will spring into existence. Ten years ago twenty thousand adults, besides children, were unable to read and write in South Carolina. Has our Free School system dispelled any of this ignorance? Are there not reasonable fears to be entertained that the number has increased since that period? Are generations to come and go, and still see no improvement in the education of the humble portion of your population? If no change is effected with increasing commerce, with 1300 miles of Rail Road, with your machinery, with your unimproved lands, who are to be your merchants, engineers, machinists and mechanics, and your farmers?

A reformation in public instruction, if any be made, cannot be effected directly by yourselves. It must be done by your agents. I recommend to you the establishment of a Board of Education, and the appointment of a Commissioner of Public Instruction, whose duty it shall be to gather facts with regard to this State, and thoroughly inform himself upon the systems of such other governments as educate their people best, and report the result of his labors to the Board or Commission, who together shall digest a plan to be submitted to you for ratification or rejection. Pay them either by an appropriation, or by a per centage from the Free School Fund.

The Board I suggest shall be appointed by you; the Commissioners of Public Instruction to be chosen by the Trustees of the South Carolina College, by and with the assent of the Executive.

Accompanying this communication is a letter from the President of the South Carolina College upon the subject of Public Education, which

contains views so well considered and able as to induce me to lay it before you with the hope that you will give it such attention as the importance of the subject demands.

The subject of Medical Education is one which I think should engage your attention, and receive, as germane to a general system of education within the State, a portion of your care and assistance. Nor is this an unimportant part of such a system. Occupying as we do a region which is not exempt from malarious influences, we should be particularly interested in all those means by which the natural influences of the climate can to some extent be obviated, a knowledge which is best acquired in latitudes in which those diseases are most prevalent.

It is doubtless known to you that about thirty years ago the first effort was made to build up and sustain a Medical College within the borders of our own State, and thereby to offer to our young men the means of acquiring at home a medical education as thorough and complete as they could obtain abroad. There were valid reasons why this effort should be made; and subsequent experience has afforded the most convincing proof of the deep interest our people and State should feel in the success of such an enterprise. Thus far the Medical College of the State of South Carolina has grown steadily in prosperity and reputation, until it has obtained in point of respectability an equal footing with the most respectable of similar institutions in the United States. For this success it has been mainly indebted to the zeal and untiring efforts of its Professors; for whilst other States have been most munificent in cherishing their Medical Institutions, South Carolina, although she has done something, has fallen far behind most of the States of the Confederacy. In this age of active competition, the absence of adequate means has placed that Institution at great disadvantage, and at the present moment especially, when the rapid advancement of science, growing out of the daily development of new truths, forms more multifarious and complex processes of investigation, the appliances necessary in a thorough system of education and illustration have become so numerous and expensive, as to be entirely beyond the limited resources of a Faculty dependent exclusively upon the fees of the students for their inadequate compensation. This natural wear and tear of property and of their means of illustration already at command, impose an additional burden upon the Professors, which they cannot well sustain.

I herewith present a memorial from the Medical College of the State of South Carolina, which sets forth more in detail the necessity of an appeal for State aid; not only for reasons already given, but for others which are therein clearly and forcibly stated. Not the least important among them is a necessity for the repairs of their edifice, and increasing its

convenience by enlargement. I cordially recommend an appropriation for the required aid.

The State makes provision annually for the education of one of the youths from the Charleston Orphan House, to be selected by the Commissioners. This liberality on your part has already been extended to several young men, whose subsequent advancement and usefulness in life have proven the wisdom of your benefaction. Through me the commissioners now ask that provision may be made by you for the education of another youth upon the same conditions as in the other case. I take great pleasure in adding my recommendation to their request.

I shall now proceed to lay before you a subject which will engage your judgment, as well as interest your sympathies.

Undoubtedly among the first duties of government are to legislate for the security of life and property, and the protection of morals. Next in order is the education of all classes of citizens,—the third is to make provision for those who by natural or other infirmities are unable to care properly for themselves in the affairs of life. Among all nations the performance of this latter obligation is regarded as the highest evidence of enlightenment and civilization. Those who are selected by their fellow men by reason of their superiority of intellect to provide for all their social and political wants, ought surely to be such as are most regardful of the condition of that class of society from whom the light of intelligence and reason has been removed, and who are already the most unhappy of mankind.

In the year 1821, when the Asylum for the Insane of this State was established, the arrangements made for its inmates, were far in advance of those of any similar institution, not only in this country, but in Europe. In it the system of coercion was abolished to a greater extent than any other similar establishment; the personal comforts of the patients more amply provided for; and the whole system as formerly adopted in the Bicetre and Salpetriere, where the insane were regarded as condemned felons or brutes, was superseded by a more gentle and humane treatment. But since that period, whilst this institution, from the character of the building erected for the accommodation of patients, together with its unfavorable location and the limited extent of the grounds about it, has from necessity remained stationary, others, both in this country and in Europe, have left it far behind in the improvements which science and experience have suggested; and they now present us in turn examples from which our own system can be greatly amended.

I have made it a portion of my public duty to examine into the condition of the State Asylum for lunatics, and the result of my observation has been to recommend to you a thorough change from all the present

arrangements. Provision is made only for 120 patients—against about 400 lunatics, which are estimated as the number in the State. The accommodations, therefore, are too small; and the duties of legislation upon this subject will be but imperfectly discharged as long as there remains a single lunatic within her limits unprovided for. The situation is within the corporate limits of the town of Columbia, exposing the inmates, without the possibility of avoiding the difficulty, to all the noise and bustle which prevails in a city, thus defeating very often all the regulations for their perfect repose by the Physician and Superintendent. A location in the country, surrounded by a farm and gardens, with other conveniences of air and exercise, are regarded as indispensable to a proper treatment of maladies of the mind. These advantages cannot be had in its present position, nor can there ever be a sufficient increase of accommodation from the limited extent of the grounds, as will meet with the present wants, still less for those in the future.

The construction of the edifice is altogether defective. The population within are so thrown together as to prevent any thing like a classification of the patients. The refined and sensitive, more alive perhaps, to uncongenial associations, than persons of sound mind, are from necessity made to associate to some extent with those who by their misfortunes have descended to the lowest thoughts and habits possible for human beings; so that from this cause many patients of the former class are under the necessity of being provided for by their friends without the State, in institutions which are more judiciously arranged. The basement, which was intended for patients of a certain description, and which is perhaps one of the most important portions of the structure, from its excessive dampness, and wretched ventilation, is totally unfitted for habitation. The dormitories also, or rather cells, for they can hardly be dignified with a name implying convenience and comfort, are not large enough for a person in health, still less are they adapted to a class who, from one of the peculiarities of their disease, require a greater amount of pure air. Their dimensions are six feet by eight and ten feet in height, affording only 384 cubic feet of air, which by persons scientifically and practically acquainted with the treatment of insanity is regarded as but little more than half enough.

From the confined limits of the grounds, and the necessity for fresh air and exercise for the inmates of the Asylum, permission has been given to a portion of them to walk on the public highway and in the streets under careful restrictions; but such liberty has always been attended with results so unpleasant and injurious, that the authorities have been forced to limit their movements to circumscribed courts of a single acre of ground, where 170 patients are assembled, and so shut in by building and wall as

almost to exclude from them the pure air of heaven, and hide from their view its blue sky.

The institution has been managed, in my opinion, with great judgment and ability. I believe that no body of Regents in any Asylum are more able, or enlightened in their views, than those who preside over the affairs of this. I believe them to be active and benevolent in the discharge of their duties. So also with the Physician and Superintendent. They make the best use of the means and appliances which are afforded them. But under more favourable legislation at your hands they can achieve more. It is an ascertained fact that in a properly constructed building, located in the country, with sufficient area of ground about it, and other advantages known to scientific men, that the rate of cure is about fifty to sixty per cent. Under circumstances the reverse of these, the rate is only about 22 per cent. Is not this then an occasion for the exercise of your beneficent and liberal interposition?

I submit to you, therefore, the propriety of removing the Asylum to some convenient and healthy country location near the town, and give to the insane a habitation constructed upon newer and better principles which shall be to them a comfortable and agreeable residence, where their happiness and health can be promoted by a proper classification with other great advantages. Enable them to enjoy the fresh air, the sky, and the recreation to be derived from the cultivation of trees and flowers, and to see nature in her thousand pleasant forms. Enable their guardians to induce them to take an interest in surrounding agreeable objects, and insensibly to woo their minds from the contemplation of the secret sources of their own excited fancies, and by promoting their innocent and admissible pleasures prevent them from brooding in hopeless despondency upon that chaos of ideas, which momentary gleams of intelligence only serve to make more terrible to them.

During the past year, the sum of \$30,000 was appropriated by you to enlarge the Asylum. A portion, I believe about \$13,000, has been expended in providing temporary accommodations without the walls. A moderate appropriation by the State, annually, with the sum already in the hands of the Regents, will, in the course of a few years erect new and improved buildings, in a situation better adapted to the ends in view. When such a new building has been made to progress towards completion, the State can be refunded to the extent of a portion of its outlay by the sale of the present Asylum property, which is valuable and becoming more so, daily, with the increase in the value of real estate in the town.

At your last session an appropriation of \$50,000 was made for the continuation of the construction of the new Capitol, and during the past year the work has progressed to an extent commensurate with the



amount appropriated. The plans have all been perfected by the skill of a competent architect, who has also the supervision with the commission of the whole work. Ample and convenient arrangements are made for all the departments of the State Government, and the building, when completed will be one of the most elegant, commodious and desirable in the Union. Every improvement which modern skill has devised has been incorporated in the plans. The granite of which it is constructed is found in great abundance convenient to the work. If completed upon the plans already determined upon, (at a cost in my judgment by no means unreasonable,) this edifice will be fresh in its massive strength and beauty when many generations shall have passed away, and will remain for ages a monument of your taste, State pride, and liberality. I recommend such liberal appropriations as will warrant an active and energetic prosecution of the work, and insure its early completion.

At the last session of the Legislature, the Governor, in connection with the Attorney General, was directed to take such steps to protect the rights and jurisdiction of South Carolina, in the controversy now pending between Georgia and this State upon the subject of boundary, as they might deem necessary. In conformity with these instructions, the Attorney General addressed a full and able argument to his Excellency the Governor of Georgia, in reply to a communication from him to my immediate predecessor, in which the rights of this State to the thread of the stream of the Savannah River, following the most Northern branch as the true boundary between the States, are clearly set forth. I am now confirmed in the opinion of the equity of this view of the case, since by examining a certified copy of the original charter of 1732, and other records among the archives of this State, I find the express language which this State claims to have been used in the original charter, and under which our title is urged.

This State has a right to rely upon the following as conclusive in the controversy:—1st, the words of the Georgia charter of 1732, as given by Whitaker's Report in 1736, and half a century later by Watkins, and a copy of the original charter, certified by the Lord Mayor of London, and now among the archives of this State; 2nd, the convention of Beaufort in 1787; 3rd, the Constitution of Georgia in 1797, defining her own boundaries.

I perceive by the late Message of his Excellency Governor Cobb, that he recommends to the Legislature of Georgia to submit the question of boundary between the States for final settlement to the Supreme Court of the United States, in compliance with a proposition from the Attorney General of this State. I suggest to you the propriety of assenting to such

a reference as the most complete mode by which a final settlement of this question can be effected.

In the last Annual Message of my immediate predecessor, a communication was made to you in regard to certain proceedings instituted by her Britannic Majesty's Consul, with a view to test the validity of the laws of South Carolina regulating the admission of colored seamen into the Port of Charleston. I am glad to inform you that both of the cases then referred to, that of Manuel Pereira, and of Reuben Roberts, have been settled.

The case of Pereira was placed on the Docket of the Court of Appeals in Charleston at the January term of the present year, and was considered by the Court, which refused to hear argument on the merits of the case, and dismissed the appeal on the ground that Pereira being already at liberty, Habeas Corpus could not be prosecuted in his behalf.

The case of Reuben Roberts vs. J. D. Yates, instituted in the Federal Court, came up for trial at the Spring term of that Court, Judge Gilchrist presiding alone. In the charge, the Court sustained the validity of the law, and a verdict was rendered for the defendant. An appeal was had to the Supreme Court at Washington, but in July last the Attorney General was formally notified that the appeal had been abandoned, and the costs of suit paid by the plaintiff. Thus has the validity of the laws of the State upon this subject been fully vindicated, and the matter now remains as it did before proceedings were instituted. The question of a modification of them is relieved of all its embarrassment, and may with entire propriety come before you for consideration as a new question. The course adopted by the British government in the latter stages of the proceeding has been so entirely proper and respectful, as to claim from you a conciliatory spirit in your legislation upon this subject.

Entertaining as I do, the opinion that the laws referred to can be so modified as to remove all complaint of injustice and inconvenience, and at the same time to protect the City of Charleston from all injury resulting from the introduction of such a class of persons into it, I cordially recommend such measures as you may deem necessary for the accomplishment of this result.

I herewith lay before you the report of the Adjutant and Inspector General upon the duties of his department, and the condition of the militia of this State.

During the past spring and summer, I reviewed two divisions of the militia, and was gratified at their exhibition of zeal in the performance of duty, and at the precision with which their evolutions were executed. I know of no adequate substitute for the present system. Under it the State has acquired a reputation equalled by that of no other for the excellence of her military discipline. Whenever any portions of her

citizen soldiery have been called into active service, the arts which they acquired at home have enabled them to win a high reputation. The same necessity continues for an effective organization as has always existed.

I invite your attention to the accompanying communication from the honorable the Secretary of State of the United States, covering a copy of the Consular Convention between his Majesty the Emperor of the French and the government of the United States; and by the direction of the President of the United States, he requests me to call your attention to the 7th article of that instrument, and recommends, if in pursuance of existing laws French subjects are not allowed to hold real estate in South Carolina, that such right be conferred upon them.

I have received a communication from his Excellency J. H. Clifford, Governor of Massachusetts, conveying a copy of a report and resolutions, adopted unanimously by the Legislature of that commonwealth, in response to resolutions adopted by you at your last Session, upon the subject of the deaths of Henry Clay and Daniel Webster. In compliance with his request, I herewith lay them before you.

Gentlemen of the Senate and House of Representatives, I have laid before you in as brief a manner as possible, such suggestions as seemed to me proper for your consideration. I have omitted any discussion of Federal affairs since it is well known of your views upon these subjects, that adherence to the cardinal principles of State Rights,—to a strict construction of the Constitution,—to a Tariff purely for revenue,—to an economical application of the finances of the government, and above all to a stern and impartial administration of the laws and enforcement of all its constitutional obligations, you give your support to the present distinguished head of the nation as a fair exponent of such principles, disregarding all local disputes, or contentions for the emoluments and spoils of office.

With regard to our internal affairs, I would remark in general terms that it is wise to guard against excess of Legislation. Those laws are best which are permanent and easily understood. Innovation often carries with it more of injury than benefit; and repeated changes tend to produce a certain demoralization, as to the force and obligation of law. Modifications of it are frequently necessary to supply the new wants of a growing country, but those should rather be specific than general so as not to threaten, still less to involve the destruction of a system which for generations of men has worked happily and beneficently. It is better to preserve that tone of moderation which avoids the extreme of a blind conservatism on the one side, and the restless desire for change on the other.

Permit me, gentlemen, to invoke for your deliberations the aid of that Divine Power which is at once the beginning and the end of human wisdom.

JOHN L. MANNING.

On motion of Mr. READ,

*Ordered*, That the Message be made the special order of the day for tomorrow, at 15 minutes to 1 o'clock, P. M., and that 2,000 copies be printed.

Mr. DUNCAN presented the account of Drs. Turpin & Jones, which was referred to the Medical Committee.

Mr. BOYKIN presented the return of the Commissioners of Free Schools for Kershaw District, 1853, which was referred to the Committee on Education ;

The accounts of Dr. B. S. Lucas, and of Thomas Boon, which were severally referred to the Committee on Claims.

Mr. CAUTHEN presented the account of R. S. Bailey, for public printing, which was referred to the Committee on Accounts.

Mr. CURETON presented the petition of the Catawba Lodge, I. O. O. F., of Lancasterville, praying an Act of Incorporation ; which was referred to the Committee on Incorporations ;

The petition of the Commissioners of Public Buildings of Lancaster and others, praying an appropriation to enlarge the Court House ; which was referred to the Committee on Public Buildings ;

The return of the Commissioners of Free Schools for Lancaster District, for 1853, which was referred to the Committee on Education ;

The petition of sundry citizens of Lancaster, praying an Act to exempt Managers of Elections from militia duty, and

The petition of Lewis Croxton, praying compensation for pay as a soldier in the Florida War ; which was referred to the Committee on the Military.

The petition of sundry citizens of Lancaster, praying the opening of a public road ; and the counter petition thereto ; which were referred to the Committee on Roads, Bridges, and Ferries.

Mr. ANDERSON presented the returns of the Commissioners of Free Schools for Laurens, and

Mr. MULLINS the return of the Commissioners of Free Schools for Marion ; which were severally referred to the Committee on Education.

Mr. HOPE presented the account of W. J. Randolph, for public printing ; which was referred to the Committee on Accounts.

Mr. DURANT presented the account of V. Little, for public printing ; which was referred to the Committee on Accounts.

Mr. GARLINGTON presented the return of Commissioners of Free Schools for Newberry, 1853, and

Mr. FELDER the returns of the same Commissioners for Orange, 1853 ; which were severally referred to the Committee on Education.

Mr. PITTS presented the petition of John W. Payne, praying a re-charter of "Island Ford Ferry" across Saluda river.

Mr. SLOAN presented the petition for a charter for a bridge over Seneca River at Sloan's Ferry in Pickens District,

The petition of Samuel Knox for a charter for a Bridge over Tagaloo River, and

The petition adverse to discontinuing a road in Pickens District; which were severally referred to Committee on Roads, Bridges, and Ferries.

Mr. SLOAN also presented the account of the Keowee Courier,

The accounts of Dr. L. B. Johnson, and of Drs. Johnson and Lawrence for *post mortem* examinations; which were severally referred to the Committee on Claims. Also,

The petition for a new Electoral Box in Pickens District; which was referred to the Committee on Privileges and Elections.

Also, the petition for the appointment of a Magistrate for Pickens District; which was referred to the Committee on District Offices and Officers.

Also, the returns of the Commissioners of Free Schools for Pickens, 1853; which was referred to the Committee on Education.

Mr. SLOAN also submitted the presentment of the Grand Jury of Pickens, Spring Term, 1853.

So much thereof as relates to the present system of working the roads, was referred to the Committee on Roads, Bridges and Ferries.

So much thereof as recommends an increase of Magistrates' Jurisdiction was referred to the Committee on the Judiciary.

Mr. A. G. CAMPBELL presented the petition of sundry citizens of Spartan, praying the establishment of a new election precinct, which was referred to the Committee on Privileges and Elections.

Mr. BATES presented the petition of sundry citizens of Spartan, on the subject of Free Schools; which was referred to the Committee on Education.

Mr. GREEN presented the petition of sundry citizens of Sumter District, praying the opening of a new road in said District; and

Mr. ASHMORE, the counter petition thereto; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. BUTLER presented the returns of the Commissioners of Free Schools for Clarendon, 1853; and

Mr. WITHERSPOON, the returns of the same Commissioners for Claremont; and

Mr. GADBERRY, the returns of the same Commissioners for Union District; which were severally referred to the Committee on Education.

Mr. GADBERRY also presented the petitions of sundry citizens of Union, praying the appointment of Nicholas Curry, as Magistrate, in Beat No. 2, and of William M. Dunn, in the same beat of the said District; which were referred to the Committee on Vacant Offices.

Also, the petition of sundry citizens of Union District, praying that a certain road of that District may be declared a public road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. RICE presented the petition of William Langston, praying leave to hawk and peddle without a license; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. BRADLEY submitted the presentment of the Grand Jury of Williamsburg, Spring Term, 1853.

So much thereof as relates to the pay of Jurors, was referred to the Committee on the Judiciary.

Mr. WILLIAMS presented the petition of William R. Hacket, for a grant of escheated property; which was referred to the Committee on the Judiciary.

The SPEAKER announced that Mr. Trenholm, a member from Charleston, was added to the Committee of Ways and Means.

The SPEAKER then called for Reports of Standing Committees in their order.

The SPEAKER then called in alphabetical order of Judicial Districts, for Resolutions, Bills or Motions, when

Mr. McGOWAN gave notice that he would ask leave, to-morrow, to introduce a Bill respecting Wills.

Also, a bill to amend the Charter of the Greenville & Columbia Rail Road Company, and for other purposes; and

A bill to give the aid of the State to the Blue Ridge Rail Road Company, by subscribing to the capital stock thereof.

Pursuant to notice, and by leave of the House,

Mr. HUTSON introduced the following Bills, which were read the first time, and referred to the Committee on the Judiciary:

A Bill to declare and amend the law in relation to words of limitation in deeds and wills:

A Bill to repeal an Act entitled "An Act to increase the amount of property exempt from levy and sale:"

A Bill to amend the law in relation to attesting wills, and

Also a Bill to amend the license law of this State; which was referred to the Committee on Roads, Bridges and Ferries.

Pursuant to notice, and by leave of the House, Mr. TILLINGHAST introduced a Bill to repeal the 6th section of an Act entitled "An Act to extend the charter of the Bank of the State of South Carolina;" which was read the first time, and referred to the Committee of Ways and Means.

Mr. McCRADY gave notice that he will ask leave to-morrow to introduce a Bill to prescribe the mode and terms upon which Municipal Corpo-

rations in this State may subscribe to the Stock of Rail Roads, Plank Road and Canal Companies.

Mr. LESESNE gave notice that he will, to-morrow, ask leave to introduce a Bill to renew the charter of the Bank of Charleston, and also

A Bill to regulate Appeals at Law.

Mr. TRENHOLM gave notice that he will ask leave to-morrow to introduce a Bill to cede to the United States the jurisdiction of this State over certain parcels of land for the erection of Light-Houses and Beacons.

Mr. POPPENHEIM gave notice that he to-morrow will ask leave to introduce a Bill to alter the Law respecting the granting of vacant lands in the State of South Carolina.

Mr. TORRE gave notice that he will ask leave to-morrow to introduce a Bill to amend the charter of the Fireman's Insurance Company of Charleston, also

A Bill to declare and amend the law in relation to words of limitation in Deeds and Wills.

Mr. BLUM gave notice that he will ask leave to-morrow to introduce a Bill to recharter the Bank of South Carolina.

Mr. CASH gave notice that he will ask leave to-morrow to introduce a Bill to repeal an Act entitled "An Act to alter and amend the license law of this State," passed A. D. 1840.

Mr. CHRISTIE gave notice that he will ask leave to-morrow to amend 11th section of an Act entitled "An Act to incorporate certain Societies and Companies, and to revise and amend certain charters heretofore granted," passed December 20th, 1850.

Mr. MIDDLETON introduced the following Resolution; which was ordered for consideration immediately, and was agreed to:

*Resolved*, That the Committee of Ways and Means be instructed to inquire into the practicability of providing a fund for the purpose of improving the Harbor of Charleston, and deepening the channels of access thereto.

Pursuant to notice and by leave of the House, Mr. KERSHAW introduced a Bill to recharter the Bank of Camden, South Carolina; which was read the first time, and was referred to the Committee of Ways and Means.

Mr. CROSSON gave notice that he will ask leave to-morrow to introduce a Bill to amend the charter of the Bank of Newberry, South Carolina.

Mr. HAMPTON asked and obtained leave to present the Report from the Regents of the Lunatic Asylum; which was referred to the Committee on the Lunatic Asylum, and on motion of Mr. HAMPTON, five hundred copies of the Report was ordered to be printed.

Mr. WINSMITH gave notice that he will ask leave to-morrow to introduce a Bill to change the name of the Judicial District of Spartanburg to

that of Spartan, the constitutional name of the election district, and to require all legal processes to be entitled accordingly.

Mr. ASHMORE gave notice that he will to-morrow ask leave to introduce a Bill to alter and amend the Free School laws of this State, and to appoint a Superintendent of Free Schools.

Mr. GREEN gave notice that he will to-morrow ask leave to introduce a Bill to alter and amend the 15th Section of an Act entitled an Act to reduce all Acts and clauses of Acts in relation to the Militia Law of this State into one Act.

Mr. RICE obtained leave to withdraw the account of Charles H. Dillard from the files of the House.

Mr. RICE gave notice that to-morrow he will ask leave to introduce a Bill to exempt certain property from levy and sale by Sheriffs and other ministerial officers of this State, and from being inventoried and sold by Executors and Administrators.

Mr. GADBERRY gave notice that he will to-morrow ask leave to introduce a Bill to afford compensation to Commissioners of Roads, and for other purposes. Also,

A Bill granting Banking privileges to the Spartanburg and Union Rail Road Company; and also,

A Bill to authorize the Spartanburg and Union Rail Road Company to extend their Road from a point at or near Spartanburg C. H., to some point on the North Carolina line, in the direction of Asheville or Rutherfordton.

Pursuant to notice, and by leave of the House,

Mr. GADBERRY introduced a Bill to alter the sittings of the Courts of Law on the Northern Circuit.

Mr. BRADLEY gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend an Act entitled an Act to provide by law for the compensation of physicians for *post mortem* examinations.

Mr. WALLACE gave notice that he will to-morrow ask leave to introduce a Bill to reduce the salaries of Adjutant and Inspector Generals, and Major of Ordnance, and to abolish the salary of Quarter Master General.

Mr. MITCHELL asked and obtained leave to give notice that he will ask leave to-morrow to introduce a Bill to vest in Mary Lynas the real estate of Michael Lynas, deceased. Also,

A Bill to vest the personal property of Julia Mendaze in William Butler, Robert Butler, and Julia Gordon.

On motion of Mr. McGOWAN, it was

*Ordered*, That the reporter of the Abbeville Banner be allowed a seat on the floor of the House.

On motion of Mr. SLOAN, the same privilege was extended to Joseph W. Ross, Editor of the Keowee Courier; to the reporter of the Farmer and Planter, and of the Anderson Gazette.



On motion of Mr. BROYLES, to the reporter of the Anderson Southern Rights Advocate.

On motion of Mr. BYRD, to the reporter of the Darlington Flag.

On motion of Mr. HAMPTON, to the reporter of the South Carolinian.

On motion of Mr. ASHMORE, to the reporter of the Charleston Standard.

On motion of Mr. GADBERRY, to the reporter of the Unionville Journal, and

On motion of Mr. WALLACE, to the reporters of the Yorkville Remedy, and of the Yorkville Miscellany.

On motion of Mr. THOMSON, it was

*Ordered*, That when this House adjourns, it shall be adjourned to meet to-morrow at 12 o'clock, M.

On motion of Mr. THOMSON, the House was adjourned at 45 minutes past 2 o'clock, P. M.

### WEDNESDAY, NOVEMBER 30, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when a quorum being present, the Speaker took the Chair, and the Journal of yesterday's proceedings was read.

The following additional members attended and took their seats.

*From All Saints*.—Mr. Flagg.

*From Charleston*.—Messrs. Laanneau and Gourdin.

*From Fairfield*.—Mr. Shedd.

*From St. Andrew's*.—Mr. Seabrook.

The SPEAKER, under the amendments to the 60th Rule of the House, called, in alphabetical order, the several Judicial Districts, for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers; when

Mr. HEARST presented the petition of Fanny Buridshaw, praying that the right and title of the State to the estate of John Brudishaw, deceased, liable to escheat, may be vested in her; which was referred to the Committee on the Judiciary.

Also the account of Dr. W. Pickens Black for a post mortem examination; which was referred to the Committee on Claims.

Mr. THOMSON presented the petition of the Methodist Society at Union Camp Ground, praying incorporation; which was referred to the Committee on Incorporations.

Also the return of the Commissioners of Free Schools for Abbeville District, 1853; which was referred to the Committee on Education.

Mr. BROYLES presented the account of Drs. H. and S. A. Evans, praying compensation for medical services ; which was referred to the Medical Committee.

Also the petition of Townville Baptist Church, in Anderson District, for incorporation ; which was referred to the Committee on Incorporations.

Also the petition of sundry citizens of Anderson and Pickens, for a road from Anderson Court House to Knox's Bridge, on Tugaloo River ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MAXWELL presented the returns of the Commissioners of Free Schools for Anderson District, 1853 :

Mr. OWENS, the returns of the same Commissioners for Barnwell, 1853 ; which were severally referred to the Committee on Education.

Mr. OWENS also presented the petition of B. H. Brown, praying compensation for a slave executed ; which was referred to the Committee on Claims.

Also the petition of P. M. Bland, of Barnwell District, to be refunded a tax improperly collected ; which was referred to the Committee of Ways and Means ; and

Also the account of E. A. Bronson ; which was referred to the Committee on Accounts.

Mr. TILLINGHAST presented the accounts of Dr. T. H. Gregorie, and of Dr. H. W. Blanding, for post mortem examinations ; which were severally referred to the Committee on Claims.

Mr. ELLIS presented the petition of the Broxton's Bridge Company, praying a renewal of charter ; which was referred to the Committee on Incorporations.

Mr. A. R. JOHNSTON presented the accounts of Dr. J. S. Lawton for post mortem examinations ; which were referred to the Committee on Claims.

Mr. MURRAY presented the return of Commissioners of Free Schools for St. James, Goose Creek ; and

Mr. WESCOAT, the returns of the same Commissioners for St. John's Colleton ; which were severally referred to the Committee on Education.

Mr. SEIGLING presented the petition of the South Carolina Building and Saving Association for incorporation ; which was referred to the Committee on Incorporations.

Mr. MELTON presented the petition of sundry citizens of Chester, praying the discontinuance of a public road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. J. B. PERRY presented the petition of L. W. McCants, Sheriff of Colleton District, praying payment of his account for blankets furnished to State prisoners ; which was referred to the Committee on Claims.

Mr. BYRD presented the petition of James Windham, praying compen-

sation for services rendered; which was referred to the Committee on Claims.

Mr. ALLEN presented the account of W. F. Durisoe for public printing; which was referred to the Committee on Accounts.

Also the petition of the members of the Bethlehem Church, in the District of Edgefield, to be incorporated; which was referred to the Committee on Incorporations.

Mr. CARWILE presented the petition of sundry citizens of Edgefield District, praying for an election precinct, which was referred to the Committee on Privileges and Elections.

Mr. MANIGAULT presented the return of the Commissioners of Free Schools for Winyaw, 1853; which was referred to the Committee on Education.

Mr. SHEDD presented the petition of Theophilus Wilson, Jr., praying payment of arrears of pension; which was referred to the Committee on Pensions.

Mr. MANIGAULT also presented the returns of the Commissioners of Free Schools for St. James Santee; which was referred to the Committee on Education.

Mr. PERRY presented the account of Thomas Frean, for indexing; which was referred to the Committee on Claims.

Also, the petition of the Town Council of Greenville, praying additional powers to their present charter; which was referred to the Committee on Incorporations.

Mr. SLOAN presented the petition of Carwell Hester for a Turnpike Road from Jocassee, in Pickens District, by White Water Falls, to the North Carolina line; also

The petition of the Commissioners of Roads for Pickens District, praying the discontinuance of a road;

The petition of sundry citizens of Pickens District, praying that the Commissioners of Roads be restricted to a maximum of 25 per cent. tax;

The petition of the Commissioners of Roads for Pickens District, adverse to opening a road from Pickensville to Pickens C. H.;

The petition of sundry citizens of Greenville District, adverse to discontinuing a road from Greenville to Pickensville; and the petition of sundry citizens of Pickens, with an adverse prayer; which were severally referred to the Committee on Roads, Bridges, and Ferries.

Also, the petition of sundry citizens of Pickens, for the removal of a ballot box; which was referred to the Committee on Privileges and Elections.

Also, the petition for the appointment of a Magistrate in Pickens District; and

The petition of the Commissioners of Poor for Pickens District, which were severally referred to the Committee on District Offices and Officers.

## SPECIAL ORDER.

On motion of Mr. POPPENHEIM, it was

*Ordered*, That the consideration of sundry bills providing for the election of Electors of President and Vice-President of the United States, which had been made the special order for this day at 1 o'clock, P. M., be postponed, and that the said bills be made the special order for Tuesday next, 6th December, at 1 o'clock, P. M.

The SPEAKER resumed the call, when

Mr. BOYLSTON presented the account of Gaillard & Aiken for public printing; which was referred to the Committee on Accounts.

Mr. SULLIVAN presented the petition of O. Richardson, Sheriff of Laurens, praying compensation for carrying a prisoner out of the State by direction of the Governor; and also for blankets furnished the Jail.

Mr. FOX presented the account of Isaac Vansant, Sheriff of Lexington, for blankets furnished the Jail of said District;

Also, the account of Dr. Jas. Willingham for a *post mortem* examination;

Mr. FELDER presented the petition of the Sheriff of Orangeburg, (Jacob Wolfe) for compensation for serving writs of election; which were severally referred to the Committee on Claims.

Mr. DANTZLER presented the returns of the Commissioners of Free Schools for St. Matthew's, which was referred to the Committee on Education.

## SPECIAL ORDER.

On motion of Mr. READ, the House then proceeded to the consideration of Message No. 1, of His Excellency the Governor, which had been made the special order of the day for this day at 45 minutes past 12 o'clock M.: and

On motion of Mr. READ,

*Resolved*, That so much of the Message No. 1 as relates to the Finances of the State, and so much as relates to the Blue Ridge Railroad enterprise, be referred to the Committee of Ways and Means.

That so much as relates to Popular Education and subjects connected therewith, be referred to the Committee on Education.

That so much as relates to the Asylum for the Insane, be referred to the Committee on the Lunatic Asylum.

That so much as relates to the construction of a new Capitol, be referred to a Special Committee, to be composed of those members of this House who now are Commissioners of the State House and Grounds.

That so much as relates to the question of boundary between Georgia and South Carolina, be referred to the Committee on the Judiciary.

That so much as relates to the laws regarding colored population be referred to the Committee on Colored Population.

And that so much as relates to the Consular Convention between the Government of the United States and His Majesty the Emperor of the French, be referred to the Committee on Federal Relations.

The SPEAKER resumed the call.

Mr. ASHMORE presented the account of McCarter & Co. for copies of Richardson's Law and Equity Decisions of 1831 and 1832.

The petition of Joseph Chandler, praying indemnity for certain costs paid by him.

The petition of Leonard Chandler praying indemnity for certain costs paid by him.

Mr. GREEN presented the accounts of Dr. R. S. Mellett and of Dr. W. James Dargan, for post mortem examinations; which were severally referred to the Committee on Claims.

Mr. WITHERSPOON presented the petition of the Sumter Lodge, No. 23, I. O. O. F., for an Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. McKNIGHT presented the petition of sundry persons, praying for a new road in Williamsburg District, running from the Charleston road to the Georgetown road;

Also, the petition for a road leading from the free bridge on Lynach's Creek to the Georgetown road;

Also, the petitions for three other new roads in Williamsburg District; which were severally referred to the Committee on Roads, Bridges and Ferries.

Also, the petition of R. J. McFadden in reference to a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Also, the account of Dr. W. W. Graham, for a post mortem examination; which was referred to the Committee on Claims.

Also, the returns of the Commissioners of Free Schools, for Williamsburg; which was referred to the Committee on Education.

Mr. BURNET asked and obtained leave to present the account of the Charleston Mercury, for public Printing; which was referred to the Committee on Accounts.

Mr. GREEN presented the communication of J. S. G. Richardson, State Reporter, accompanied by copies of 5 and 6 Richardson's Law Reports, and 1 of Richardson's Equity Cases; which were referred to the Committee on the Judiciary.

The SPEAKER called for Reports of Standing Committees in their order.

Mr. MIDDLETON, from the Committee of Ways and Means, made a report

On a Bill to repeal the 4th Section of an Act entitled "an Act to extend

the Charter of the Bank of the State of South Carolina;" which was ordered for consideration to-morrow.

On motion of Mr. MIDDLETON, the Committee of Ways and Means was discharged from further consideration of so much of the presentment of the Grand Jury of Barnwell District as was referred to them; and

On motion of Mr. MIDDLETON, the same was ordered *to lie on the table*.

Mr. MIDDLETON asked and obtained leave to present the report of the Comptroller General; which was referred to the Committee of Ways and Means, and was ordered to be printed.

Mr. B. F. PERRY, from the Committee on the Judiciary, made a report on a Bill to repeal an Act to increase the amount of property exempt from levy and sale; and

Mr. HUTSON, from the same Committee, made a report on a Bill to declare and amend the law in relation to words of limitation in deeds and wills; which were severally ordered for consideration to-morrow.

Mr. ASHMORE, from the Committee on Claims, made reports

On the account of L. M. Grist,

On the petition of Alexander Strains,

On the account of Thomas J. Eccles,

On the account of Gilbert & Fraser,

On the further account of Gilbert & Fraser,

On the petition of Daniel Keels, Constable,

On the account of Dr. R. W. Gibbes, for printing Richardson's Equity Reports,

On the petition of David Sistrunk; which were severally ordered for consideration to-morrow.

Mr. LANNEAU, from the Committee on Vacant Offices, made a report; which was ordered for consideration to-morrow.

Pursuant to notice, and by leave of the House, Mr. MCGOWAN introduced a Bill respecting wills; which was read the first time, and was referred to the Committee on the Judiciary.

Also a Bill to amend the charter of the Greenville and Columbia Railroad Company, and for other purposes; which was read the first time, and as referred to the Committee on Incorporations.

Mr. ELLIOTT asked and obtained leave to present the report of the President and Directors of the Bank of the State of South Carolina; which was referred to the Committee of Ways and Means, and was ordered to be printed.

Mr. BROYLES gave notice that he will ask leave to-morrow to introduce a Bill to extend the time for securing the capital stock, and for organizing the Western Bank of South Carolina, at Anderson.

Mr. OWENS gave notice that he will to-morrow ask leave to introduce a Bill to provide for the measuring of lumber and timber in the city of Charleston, and to create the office of Inspector and Surveyor thereof.

Mr. LAWTON gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the Branchville and Savannah Railroad Company.

Pursuant to notice, and by leave of the House, Mr. HUTSON introduced a Bill to authorize the Ordinary to issue final process to enforce his decrees, and for other purposes; which was read the first time, and was referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. POPPENHEIM introduced a Bill to alter and amend the law respecting the granting of vacant lands in the State of South Carolina; which was read the first time, and was referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. LESESNE introduced a Bill to renew the charter of the Bank of Charleston, South Carolina; which was referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. TORRE introduced a Bill to amend the charter of the Fireman's Insurance Company; which was read the first time, and was referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. TRENHOLM introduced a Bill to cede the jurisdiction of this State to the United States over certain parcels of land, as sites for light-houses and beacons; which was read the first time, and was referred to the Committee on Federal Relations.

The following message was received from the Senate, and on motion of Mr. TUCKER, was ordered to lie on the table:

IN THE SENATE, November 30, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate proposes to your House to go into a ballot for Treasurer of the Lower Division, on Friday next at 1, P. M., and immediately thereafter for Commissioners in Equity for the Districts of Anderson, Marion, Chesterfield, Marlboro', Lancaster, and Beaufort.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. Tucker, it was

*Ordered*, That the Special Order for Friday next, to wit: A Bill to establish Boards of Direction for Common Schools, and for other purposes,

be discharged, and the same was made the Special Order for Saturday next, at 1 o'clock, P. M.

On motion of Mr. TUCKER the message from the Senate was taken up, and after some debate thereon,

On motion of Mr. McCRADY, the message was ordered to *lie on the table*.

Mr. REYNOLDS gave notice that he will ask leave to-morrow to introduce a bill to re-charter the State Bank in Charleston, S. C.

On motion of Mr. SEIGLING, it was

*Ordered*, That when this House adjourn, it shall be adjourned to meet to-morrow at 12 o'clock, M.

Mr. REYNOLDS asked and obtained leave to present the memorial of a Committee in behalf of a Convention lately assembled in Charleston, praying an act of incorporation of the Charleston and Savannah Railroad; which was referred to the Committee on Incorporations.

Mr. WAGNER asked and obtained leave to present the petition of sundry residents of Sullivan's Island and Christ Church Parish, praying the appointment of a Commissioner to investigate the claim of David Truesdell to certain lands on the Eastern end of Sullivan's Island, and to report on the propriety of repealing the Resolutions of 1839 and 1843, in respect thereto, which was referred to the Committee on the Judiciary.

Mr. SEIGLING introduced the following resolution, which was ordered for consideration immediately, and was agreed to :

*Resolved*, That the use of the Hall be granted to the Agricultural Association of the Planting States, to-morrow evening, at 6 o'clock, P. M., and also for Friday and Saturday, at such hours as it may suit the convenience of the House.

Mr. MELTON gave notice that he will ask leave to-morrow to introduce a Bill to authorize the formation of the Newberry and Chester Railroad Company.

Mr. BLAKENEY gave notice that he will ask leave to-morrow to introduce a Bill to renew the charter of the Merchants' Bank of South Carolina, at Cheraw.

Mr. CASH gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the 15th section of an act entitled "An Act to reduce all acts and clauses of acts in relation to the Militia of this State to one act, and to alter and amend the same," which was read the first time, and was referred to the Committee on Roads, Bridges, and Ferries.

Pursuant to notice, and by leave of the House, Mr. CASH introduced a Bill to repeal an act entitled "An Act to alter and amend the License Laws of this State."

Mr. MOBLEY gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the License Law of this State.



Pursuant to notice, by leave of the House,

Mr. CHRISTIE introduced a Bill to alter and amend the 11th section of an act entitled "An Act to Incorporate certain Societies and Companies, and to revise and amend certain charters heretefore granted," passed on 20th day of December, 1850; which was read the first time, and was referred to the Committee on Incorporations.

Mr. HAMMOND obtained leave to withdraw from the files of the House the memorial of James Jones and J. J. Kennedy in the matter of the Augusta Bridge.

Mr. HAMMOND gave notice that he will ask leave to-morrow to introduce a Bill to amend the Charter of the Savannah River Valley Rail Road Company, and for other purposes.

Mr. BOYLSTON gave notice that he will ask leave to-morrow, to introduce a Bill to amend the 95th section of an Act entitled "an Act to reduce all Acts and clauses of Acts in relation to the Militia of this State to one Act," and to alter and amend the same; and

Also a Bill to exempt the survivors of the South Carolina volunteers in the Florida war from ordinary militia duty.

On motion of Mr. READ it was ordered that the Resolution in relation to the Message No. 1, of his Excellency the Governor, be amended by adding:

It is ordered that so much as relates to the subject of Medical Education within the State, be referred to the Medical Committee.

Mr. B. F. PERRY gave notice that he will ask leave to-morrow to introduce a Bill, rendering incompetent all subscribing witnesses to prove a Will to whom any legacy or bequest is made in such Will.

Mr. KERSHAW gave notice that he will ask leave to-morrow, to introduce a resolution to repeal so much of the Rules of this House as requires the Reports of the Committees to be called for successively, and also so much as requires Resolutions, Bills and Motions to be called for from Judicial Districts successively.

Pursuant to notice, and by leave of the House,

Mr. KERSHAW introduced a Bill to amend the law in relation to Sheriffs; which was read the first time, and was referred to the Committee on the Judiciary.

Mr. RICE moved that this House do now adjourn, and the question being put,

Shall the House be now adjourned,

Mr. MULLINS called for the Ayes and Noes, which were as follows:

Ayes, 59—Noes, 30.

Those who voted in the affirmative, are

Messrs. Allen,  
Brown,  
Burnet,  
Bütler,  
Byrd,  
A. G. Campbell,  
R. E. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Christie,  
Clarke,  
Cooner,  
Crosson,  
Cureton,  
Duncan,  
Fox,  
Garlington,  
Gourdin,  
Hammond,  
Harrison,  
Hearst,  
Hope,  
Howell,  
Ingram,  
A. R. Johnston,  
Jordan,  
Kershaw,  
Lanneau,  
Lesesne,

Messrs. McCrady,  
Manigault,  
Maxwell,  
Maybin,  
Middleton,  
Mitchell,  
Mobley,  
Morgan,  
Murray,  
O'Bryan,  
Owens,  
B. F. Perry,  
J. B. Perry,  
Pickens,  
Pitts,  
Read,  
Reynolds,  
Rice,  
Seabrook,  
Seigling,  
Sloan,  
Steele,  
Stokes,  
Thompson,  
Trenholm,  
Tucker,  
Walker,  
Williams, and  
Witherspoon.

Those who voted in the negative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. Ashmore,  
Bates,  
Beaty,  
Blakeney,  
Boylston,  
Bradley,  
Cash,  
Clawson,  
Durant,

Messrs. Elliott,  
Felder,  
Gadberry,  
Hampton,  
Haskell,  
Hudgens,  
W. R. Johnson,  
Lawton,  
Leitner

Messrs. Melton,  
Moorer,  
Mullins,  
Rosborough,  
Springs,  
Thornwell,

Messrs. Tillinghast,  
Torre,  
Wallace,  
Wescoat, and  
Winsmith.

Whereupon the House was adjourned at twelve minutes after 3 o'clock P. M.

### THURSDAY, DECEMBER 1, 1853.

At the hour to which the House was adjourned, the Clerk called the roll, when a quorum being present, the SPEAKER took the Chair, and the Journal of yesterday's proceedings was read.

The following additional members attended, and took their seats :

*From Abbeville*—Mr. Vance.

*From Barnwell*—Mr. Trotti.

*From Charleston*—Mr. J. B. Campbell.

*From Greenville*—Mr. McBee.

*From St. Helena*—Mr. B. J. Johnson.

*From St. John's Berkely*—Mr. Sinkler.

The SPEAKER, under the amendments to the 60th Rule of the House, called in alphabetical order the several Judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, when

Mr. VANCE presented a petition from sundry citizens of Abbeville District, praying the opening of a new road from Greenwood to Samuel Turner's in said District ; and

Mr. HEARST, the counter petition thereto ; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. HEARST also presented the certified copy of the Annual Return of the Estate of Dr. John De La Howe, deceased, from November, 1852, to November, 1853, and the Report of the Trustees of the Estate of De La Howe for November, 1853 ; which were severally referred to the Abbeville Delegation.

Mr. SLOAN presented the account of the Gazette office ; which was referred to the Committee on Accounts ; also

The petition for the incorporation of the Fairview Methodist Protestant Church ; and

The petition for the re-charter of the Pendleton Academy ; which were severally referred to the Committee on Incorporations.

Also, the petition of George Seaborn to erect a dam across Little River in Pickens District ; which was referred to the Committee on Internal Improvements.

Mr. BROYLES presented the petition of sundry citizens of Anderson District, in opposition to the opening of a new public road ; and

The protest of Mrs. Nancy Taylor against the opening of a new road through her land ; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. LAWTON presented the petition of the Deacons of the Steep Bottom Baptist Church, praying an Act of Incorporation ; which was referred to the Committee on Incorporations.

Mr. LESESNE presented the petition of the Trustees of the College of Charleston, praying for aid in the erection of an additional College Building ; which was referred to the Committee on Education.

Mr. BLUM presented the petition of the German Evangelical Lutheran Church of Walhalla, praying an Act of Incorporation ;

Mr. J. B. CAMPBELL the memorial of the South Carolina Insurance Company, asking an amendment to Charter ; and

The memorial of W. C. Dukes, A. R. Taft and others, praying for the incorporation of a Gas Company in the City of Charleston ; which were severally referred to the Committee on Incorporations.

Mr. J. B. CAMPBELL also presented the petition of Robert Mills, praying the State to purchase his Plates of the District Maps of South Carolina ; which was referred to the Committee on Education.

Mr. J. B. PERRY presented the account of Dr. James W. Stephens for a *post mortem* examination ; which was referred to the Committee on Claims.

Mr. O'BRYAN presented the petition of the Commissioners of Roads of St. Bartholemew's Parish, and of certain other citizens thereof, praying for leave to make and keep open a new road in the said Parish over the lands of certain persons therein named.

Mr. HAMMOND presented the petition of sundry citizens of Edgefield District, praying the opening of a new road in said District ; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. SHEDD presented the return of the Commissioners of Free Schools for Fairfield, 1853 ; and

Mr. DUNCAN, the returns of the same Commissioners for Greenville for 1853 ; which were severally referred to the Committee on Education.

Mr. KERSHAW presented the report of the State proxies in the South

Carolina Railroad Company, which was referred to the Committee of Ways and Means.

Mr. ANDERSON presented the petition of Gabriel South, for remuneration for slave executed, which was referred to the Committee on Claims.

Mr. FOX presented the return of the Commissioners of Free Schools for Lexington, 1853, which was referred to the Committee on Education.

Also, the memorial of the Commissioners of Public Buildings, of Lexington District, praying an appropriation for the enlargement of the Court House of the said District ; which was referred to the Committee on Public Buildings.

Also, the petition of the Commissioners of the Poor of Lexington District, praying for a digest of the Poor Laws, and that the same may be furnished to the Commissioners of the Poor ; which was referred to the Committee on District Officers and Offices.

Mr. FOX also submitted the presentment of the Grand Jury of Lexington, Fall Term, 1853.

So much thereof as relates to a Digest of the Poor Laws, was referred to the Committee on District Officers and Offices ; and

So much as relates to the Court House was referred to the Committee on Public Buildings.

Mr. HOPE presented the petition of Mary Brooks, praying to be placed on the Pension Roll ; which was referred to the Committee on Pensions.

Also, the petition of sundry citizens of Lexington, praying the incorporation of a Company to build a Railroad from Columbia to Hamburg ; which was referred to the Committee on Incorporations.

Mr. THORNWELL submitted the presentment of the Grand Jury of Marlboro' District, Fall Term, 1853 ; so much thereof as relates to the use of Ardent Spirits was referred to the Committee on Grievances.

Mr. GARLINGTON presented the petition of James Bonds, Sheriff of Newberry District, praying to be paid his account for board of Jurors, at Fall Term, 1853. Also, his account for blankets furnished prisoners ; which was referred to the Committee on Claims. Also, the petition of Henry Sumner and others, Trustees of the Luther Chapel, praying an act of Incorporation ; which was referred to the Committee on Incorporations.

Mr. CROSSON presented the account of Dr. S. W. Thompson for post mortem examination, which was referred to the Committee on Claims.

Mr. FELDER presented the petition of sundry citizens of Orangeburg District, praying that they be established into a company for clearing and improving the navigation of Good Land Swamp ; which was referred to the Committee on Incorporations.

Mr. SLOAN presented the petition of Andrew Hunter, to direct the Sur-

veyor General to issue certain grants of land ; which was referred to the Committee on the Judiciary.

Mr. MAYBIN presented the account of T. J. Lamotte, for binding sundry volumes of the Acts, Reports, and Resolutions for the Legislature.

The account of Dr. A. W. Kennedy for post mortem examination ; and

The accounts of Edwin DeLeon, and DeLeon & Carlisle, for public printing ; which were severally referred to the Committee on Claims.

Mr. HOWELL presented the return of the Commissioners of Free Schools for Richland District, 1858 ; which was referred to the Committee on Education ; and also,

The account of R. W. Gibbes & Co.

Mr. HAMPTON presented the petition of Charles Beck, for balance unpaid for construction of cottage for State House Keeper ; which were severally referred to the Committee on Claims. Also,

The petition of William Glaze, for compensation for cannon ; which was referred to the Committee on the Military.

Also, the petition of the Hibernian Society of Columbia, praying for an act of Incorporation ; which was referred to the Committee on Incorporations.

Mr. BRADLEY presented the memorial of the Commissioners of Public Buildings of Williamsburg District, praying an appropriation for the Court House ; which was referred to the Committee on Public Buildings.

Also, the account of Dr. M. Keels, for post motem examination ; which was referred to the Committee on Claims.

Mr. WALLACE presented the petition of Jane Mallet, praying that all the right, title and interest of the State of South Carolina in and to the real estate of which her brother, Wm. Hacket, died seized, may be vested in her ; which was referred to the Committee on the Judiciary.

The SPEAKER then called for reports of Committees in their order ; when

Mr. MIDDLETON, from the Committee of Ways and Means, made a Report on the petition of Margaret Moore, to be refunded a tax twice paid ; which was ordered for consideration to-morrow.

Mr. LESESNE, from the Committee on the Judiciary, made a report on the petition of McCarter & Co., praying a subscription on behalf of the State to the republication of McCord's Law Reports ; which was ordered for consideration to-morrow.

Mr. HUTSON, from the same Committee, made a report on the petitions of Mary Lynas, Wm. Butler and others, and William H. Hacket and Fanny Burdishaw, made a report ; which was ordered for consideration to-morrow ; and

Reported a Bill to vest the title of the State in certain escheated property

in sundry persons therein mentioned; which was read the first time, and was ordered to be read the second time to-morrow.

Mr. GARLINGTON, from the same Committee, made a report on so much of the Presentment of the Grand Jury of Pickens District, as relates to the jurisdiction of Magistrates; which was ordered for consideration to-morrow.

On motion of Mr. LEITNER, the Committee on Internal Improvements was discharged from further consideration of the petition of William Gregg and James Jones, in relation to Horse Creek, Edgefield; and

On motion of Mr. LEITNER, the same was referred to the Committee on the Judiciary.

Mr. ASHMORE asked and obtained leave to introduce the following Resolution; which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence:

*Resolved*, That, so much of the joint resolution concurred in by this House on the 7th December, 1853, requiring proprietors of newspapers to furnish one or more of the printed articles for which the charges in the account are made, be and the same are hereby repealed.

Mr. ASHMORE, from the Committee on Claims, made reports

On the account of Dr. L. B. Johnson;

On the account of Dr. R. W. Gibbs for post mortem examination;

On the account of Dr. Sydney Smith;

On the account of Dr. N. H. Johnson,

On the account of Dr. J. P. Chazal;

On the petition of Daniel Roundtree;

On the account of Dr. D. M. Lafitte;

On the account of Dr. H. W. DeSaussure;

On the petition of S. F. Stephens and John C. Lanier;

On the petition of H. Quattlebaum;

On the account of R. W. Walker;

On the petition of Peter D. Stokes;

On the account of Thomas Boone;

On the account of Dr. B. S. Lucas;

On the petition of W. A. McDaniel, Sheriff of Greenville;

On the account of Dr. James J. McCants;

On the account of Dr. C. H. Durham;

On the account of Dr. Milton Goudelock;

On the account of Drs. Lawrence and Johnson;

On the account of Dr. J. W. McNeal; and

On the accounts of the Charleston Mercury; which were severally ordered for consideration to-morrow.

On motion of Mr. ASHMORE, the Committee on Claims were discharged

from further consideration of the petition of James Adams, ex-Sheriff of Lancaster, for payment of arrears of account; which

Mr. CAUTHEN obtained leave to withdraw;

And from further consideration of the petition of Mrs. S. E. Dunlap, for compensation for damages sustained from the opening a public road; which Mr. CLAWSON obtained leave to withdraw.

### SPECIAL ORDER.

On motion of Mr. SEIGLING, the House then proceeded to consideration of a Bill to provide for the establishment of a general system of registration of births, deaths and marriages in this State, which had been made the special order of the day for this day at 1 o'clock P. M.; and

On motion of Mr. SEIGLING, the special order was discharged, and the said bill was made the special order of the day for Wednesday next, 7th inst., at 1 o'clock, P. M.

Mr. PITTS, from the Committee on District Officers and Offices, made a report on the petition of sundry citizens of York District, Beat No. 1; which was ordered for consideration to-morrow.

On motion of Mr. PITTS, the Committee on District Officers and Offices, was discharged from the consideration of the petition of sundry citizens of Pickens District, praying an additional magistrate; and

From so much of the presentment of the Grand Jury of Abbeville, as was referred to them; and the same were ordered to *lie on the table*.

Mr. BOYKIN, from the Committee on the Legislative Library, made a report on Gibbs' Documentary History of South Carolina, and the Commemoration of R. W. Gibbs therewith; which was ordered for consideration to-morrow.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, made a report of vacancies in the offices of Comptroller General, Treasurer of the Lower Division, and Solicitor of the Eastern Circuit, which was ordered for consideration immediately; and

On motion of Mr. SEIGLING, it was ordered that a message be sent to the Senate, proposing to that body to go into a ballot for Treasurer of the Lower Division on Friday next, at 1, P. M.; and immediately thereafter for Commissioners in Equity for the Districts of Anderson, Marion, Chesterfield, Marlboro', Lancaster, Beaufort, and Spartanburg; and for Master in Equity for Charleston District; and for Register in Equity for Charleston District; and immediately thereafter for Comptroller General.

The SPEAKER then called, in alphabetical order of Judicial Districts for resolutions, bills, and motions.

Pursuant to notice, and by leave of the House, Mr. KERSHAW intro-



duced the following resolution; which was ordered for consideration to-morrow:

*Resolved*, That so much of the amendment to the 60th Rule of this House as relates to the call for resolutions, bills or motions in the alphabetical order of Judicial Districts, agreed to on 30th November, 1852, be and the same is hereby repealed.

Mr. ANDERSON gave notice that he will ask leave to-morrow to introduce a Bill to amend the charter of the Laurens Railroad Company.

Mr. THORNWELL asked and obtained leave to withdraw the petition of J. J. Gibson from the files of the House, praying that the real estate of Levi Gibson may be vested in him.

Mr. MULLINS gave notice that he will ask leave to-morrow to introduce a Bill to regulate the distribution of the appropriation for the support of the free schools of the State.

Also a Bill to construct a railroad from the junction of the Camden and Columbia branches of the South Carolina Railroad to Hamburg.

Pursuant to notice by leave of the House, Mr. CROSSON introduced a Bill to amend an Act entitled "An Act to amend the charter of the Newberry Bank;" which was read the first time, and was referred to the Committee of Ways and Means.

Mr. HAMPTON gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the Columbia and Hamburg Railroad Company.

Pursuant to notice, and by leave of the House,

Mr. WINSMITH introduced a Bill to change the name of the Judicial District of Spartanburg to Spartan, the constitutional name of the Election District, and to require all legal process to be entitled accordingly; which was read the first time, and was referred to the Committee on the Judiciary.

Mr. ASHMORE gave notice that he will ask leave to-morrow to introduce a Bill to repeal the existing Militia Laws of this State, except as may be herein excepted.

Pursuant to notice, and by leave of the House, Mr. ASHMORE introduced the following Bills; which were read the first time:

A Bill to compel the Commissioners of Roads for Salem County, in Sumter District, to re-open the road from Lynchburg to Lynch Creek, known as a part of the District road, leading by way of Muldrow's Crossing from Sumterville to Darlington C. H., and, conjointly with the Board of Commissioners for Darlington District, to bridge the stream at Lynch's Creek, at Durant's old Ferry, was referred to the Committee on Roads, Bridges and Ferries.

A Bill to secure to defendants in the Sessions like process with the State in all cases to procure the attendance of witnesses, and allowing State wit-

nesses compensation for attendance on Court, was referred to the Committee on the Judiciary.

A Bill to alter and amend the Free School Law of this State, and to appoint a Superintendent of Free Schools, was referred to the Committee on Education; and

A Bill to repeal the sixth section of an Act passed at the Session of the General Assembly on the 16th day of December, 1852, entitled "An Act to extend the Charter of the Bank of the State of South Carolina," was referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. GREEN introduced a Bill to alter and amend the 15th section of an Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State, into one Act; which was read the first time, and was referred to the Committee on the Military.

Pursuant to notice, and by leave of the House, Mr. GADBERRY introduced a Bill affording compensation to Commissioners of Roads, Bridges and Ferries, and for other purposes; which was read the first time, and was referred to the Committee on Roads, Bridges and Ferries.

Also, a Bill to authorize the Spartanburg and Union Rail Road Company to extend their road from some point at or near Spartanburg C. H. to some point on the North Carolina line, in the direction of Asheville and Rutherford; which was read the first time, and was referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. WALLACE introduced a Bill to reduce the salaries of Adjutant and Inspector General and Major of Ordnance, and to abolish the salary of Quarter Master General; which was read the first time, and was referred to the Committee on the Military.

Mr. CLAWSON gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend an Act entitled "An Act to repeal all Acts and parts of Acts authorizing Ordinaries to take possession of and administer derelict estates.

Also, a Bill to alter and amend an Act entitled "An Act concerning the office and duty of Ordinaries;" and

Also, a Bill to alter and amend an Act entitled "An Act to incorporate the Village of York."

Pursuant to notice, and by leave of the House, Mr. MCGOWAN introduced a Bill to subscribe on the part of the State to the Blue Ridge Rail Road in South Carolina; which was read the first time, and was referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. BROYLES introduced a Bill to extend the time for securing the capital stock and for orga-

raising the Western Bank of South Carolina at Anderson; which was read the first time, and was referred to the Committee of Ways and Means.

Mr. OWENS obtained leave to withdraw from the files of the House the petition of sundry citizens of Barnwell District, to declare Timber's Creek a navigable stream.

Pursuant to notice, and by leave of the House, Mr. LAWTON introduced a Bill to incorporate the Branchville and Savannah Rail Road Company; which was read the first time, and was referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. BLUM introduced a Bill to renew the charter of the Bank of South Carolina; which was read the first time, and was referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. LESESNE introduced a Bill to regulate appeals at law; which was read the first time, and was referred to the Committee on the Judiciary.

Mr. J. B. CAMPBELL gave notice that he will ask leave to-morrow to introduce a Bill to enlarge the jurisdiction of the City Court of Charleston, and to secure the better administration of justice therein.

Pursuant to notice, and by leave of the House, Mr. CASH introduced a Bill to alter and amend the 15th Section of an Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State to one Act, and to alter and amend the same; which was read the first time, and was referred to the Committee on the Military.

Pursuant to notice, and by leave of the House, Mr. BLAKENEY introduced a Bill to recharter the Merchants' Bank of South Carolina at Cheraw; which was read the first time, and was referred to the Committee of Ways and Means.

Mr. J. B. PERRY asked and obtained leave to withdraw from the files of the House the petition of Mrs. Elizabeth P. Pinckney, concerning a road from Lloyd's Spring to the Ashpoo Road in St. Bartholomew's Parish, and also

The petition of E. J. P. Bellinger, on the same subject.

Mr. MOORE asked and obtained leave to withdraw from the files of the House the petition of St. George's, Dorchester, and of Orange, praying that Cattle Creek may be declared a public highway.

Pursuant to notice, and by leave of the House, Mr. McCRADY introduced a Bill to prescribe the mode and terms upon which municipal corporations in this State may subscribe to the stock of Rail Road, Plank Road, and Canal Companies; which was read the first time, and was referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. MOBLEY introduced a Bill to alter and amend the License Law of this State, in certain

particulars ; which was read the first time, and was referred to the Committee on Roads, Bridges and Ferries.

Pursuant to notice, and by leave of the House,

Mr. HAMMOND introduced a bill to amend an act entitled an Act to authorize the formation of the Savannah River Valley Railroad Company, and for other purposes ; which was read the first time, and was referred to the Committee on Incorporations.

Pursuant to notice and by leave of the House,

Mr. BOYLSTON introduced bills which were read the first time, and were referred to the Committee on the Military :

A bill to amend the 95th section of an Act entitled " An Act to reduce all acts and clauses of acts in relation to the Militia of this State to one act," and to alter and amend the same ; and

A bill to exempt the survivors of the South Carolina Volunteers in the Florida war from ordinary Militia duty.

Mr. CLARKE introduced the following resolution, which was ordered for consideration immediately, and was agreed to :

*Resolved*, That the Committee on the Military be instructed to inquire into the expediency of altering and amending the militia law in the following respects, to wit: The disbanding of the militia companies, and organizing in lieu of each a volunteer corps, with the privilege of a smaller number of men constituting a company, and a smaller number of companies a battalion or regiment. The abolishing of that clause in the militia law compelling every man of a certain age under penalty to perform militia duty, and inserting a clause, leaving it optional with him either to discharge the duty or pay a certain tax annually for his exemption—said tax to be received by the captain of the volunteer corps belonging to the beat in which he resides, and appropriated to the support of his company; and that they have leave to report by bill or otherwise.

On motion of Mr. CASH, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow at 12 o'clock, M.

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims,

On the account of L. M. Grist.

On the account of Thomas J. Eccles.

On the account of Gilbert & Fraser.

On the other account of Gilbert & Fraser.

On the petition of David Keala.

On the account of R. W. Gibbes for Richardson's Equity Reports.

On the petition of David Sistrunk.

The report of the same Committee on the petition of Alexander Strains was agreed to; and

Mr. CLAWSON obtained leave to withdraw the petition.

The report of the Committee on Vacant Offices was ordered to lie on the table.

On motion of Mr. SULLIVAN, the House was adjourned at 48 minutes past 2 o'clock, P. M.

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FRIDAY, DECEMBER 2, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when a quorum being present, the SPEAKER took the Chair, and the Journal of yesterday's proceedings was read.

The following additional members attended and took their seats :

*From Charleston.*—Mr. Hunt.

*From St. Stephen's.*—Mr. Poreher.

The SPEAKER, under the amendments to the 60th Rule of the House, called, in alphabetical order, the several Judicial Districts, for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers; when

Mr. VANCE presented the petition of the Trustees of the Masonic Female Institute, praying an act of incorporation; which was referred to the Committee on Incorporations.

Mr. SLOAN presented the petition of John Maxwell, praying for a charter for a bridge on Seneca River; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. OWENS presented the petition of sundry citizens of Barnwell District, praying that Tinker's Creek be declared a navigable stream; and

The counter petition thereto; which were severally referred to the Committee on Internal Improvements.

Mr. OWENS presented the account of Dr. James O. Hagood; which was referred to the Committee on Claims.

Mr. TILLINGHAST presented the returns of the Commissioners of Free Schools for St. Luke's Parish; and

Mr. SEABROOK, the returns of the same Commissioners for St. Andrew's Parish; which were severally referred to the Committee on Education.

Mr. SEABROOK also presented the petition of the James' Island Militia Company, praying to be restored to the 18th Regiment South Carolina Militia; which was referred to the Committee on the Military.

Mr. LANNEAU presented the bills of the Charleston Courier; which were referred to the Committee on Claims.

Mr. SEIGLING presented the petition of Julius L. Bartlett to authorize the conveyance of land; which was referred to the Committee on the Judiciary.

Also the account of Dr. D. W. Lamb, for post mortem examination; which was referred to the Committee on Claims.

Mr. BLUM presented the petition of the Charleston Ancient Artillery Society, praying renewal of charter; which was referred to the Committee on Incorporations.

Mr. CASH presented the petition of the Commissioners of Public Buildings for Chesterfield, praying an appropriation for building a jail in said District; which was referred to the Committee on Public Buildings.

Mr. PORCHER presented the counter memorial of citizens of St. Phillip's and St. Michael's in relation to the Santee Canal Company.

Mr. MOORER presented the petition of sundry citizens of St. George's Parish, praying that Indian Field Creek be declared a public highway; and

The petition of J. and P. B. Martin, counter thereto; which were severally referred to the Committee on Internal Improvements.

Also the petition of the Town Council of Summerville, praying an amendment of charter; which was referred to the Committee on Incorporations.

Mr. J. B. PERRY presented the petition of Mrs. Elizabeth P. Pinckney, praying that the road from the Charleston and Savannah Road through the plantation of Mrs. Pinckney to the Ashepoo Road, may not be made a public road; and

The petition of E. S. P. Bellinger, with a similar prayer; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. CHRISTIE presented the account of Lewis Jones, Sheriff of Edgefield; which was referred to the Committee on Claims.

Mr. HAMMOND presented the memorial of the Savannah River Valley Railroad Company, praying legislative aid; which was referred to the Committee of Ways and Means.

Also the memorial of James Jones and Joseph J. Kennedy, praying an amendment of their charter to the Augusta Bridge; which was referred to the Committee on Internal Improvements.

Mr. FLAGG presented the returns of the Commissioners of Free Schools, for 1853, for All Saints Parish; which was referred to the Committee on Education.

Mr. BOYKIN presented the petition of sundry citizens of this State, living on the Wateree River and its tributaries, praying against closing the Santee Canal; which was referred to the Committee on Internal Improvements.

Mr. THORNWELL presented the petition of J. J. Gibson, praying that the title of the State in the real and personal property of Levi Gibson liable to escheat may be vested in Levi Gibson, infant child of Elvira Kirby; which was referred to the Committee on the Judiciary.

Mr. CROSSON presented the petition of the Newberry Agricultural Society, praying an act of incorporation; which was referred to the Committee on Incorporations.

Mr. BATES presented the account of J. V. and W. H. Trimmier for public printing; which was referred to the Committee on Claims.

Mr. CLAWSON presented the petition of Ann White, praying that a new road may not be opened through her land, in York District, in pursuance of the prayer of sundry citizens on that subject.

Mr. GADBERRY presented the petition of sundry citizens of Union, praying the opening of a new road leading from Pinckneyville to the Skull Shoal Road, at or near Foster's old store; which were severally referred to the Committee on Roads, Bridges and Ferries.

The SPEAKER then called for the reports of the Standing Committees in their order.

Mr. BOYLSTON, from the Committee on the Judiciary, made reports

On so much of the presentment of the Grand Jury of Chester as relates to railroads and their liability for cattle killed; and

On a Bill to alter the sittings of the courts of law on the Northern Circuit; which were ordered for consideration to-morrow.

Mr. HUTSON, from the same Committee, made a report on the petition of Jane Mallet; and

Mr. THORNWELL, from the same Committee, made a report on a Bill to secure to defendants in the Sessions like process with the State, in all cases, to procure the attendance of witnesses, and allowing State witnesses compensation for attending on court; which were severally ordered for consideration to-morrow.

The following Message was received from the Senate, was concurred in, and an answer was returned accordingly.

IN THE SENATE, Dec. 2, 1853.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to go into an election, at half-past 1 P. M., for Commissioners in Equity for Anderson, Beaufort, Marion, Marlboro',

Chesterfield, Spartanburg, Lancaster, and Orangeburg, and Master and Register in Equity for Charleston District, and immediately thereafter for Treasurer of the Lower Division.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. ASHMORE, from the Committee on Claims :

On the petition of Joseph Chandler,

On the petition of Leonard Chandler,

On the account of Dr. W. J. Dargan,

On the account of Clerk Court of Appeals at Columbia,

On the account of McCarter & Co.,

On the account of Dr. W. W. Graham,

On the account of J. S. Lawton,

On the account of the Keowee Courier,

On the petition of B. H. Brown,

On the account of Thomas Freen,

On the account of James Windham,

On the account of Dr. H. W. Blanding,

On the account of Dr. T. H. Gregorie,

On the account of Dr. W. Pickens Black,

On the petition of L. W. McCants,

On the account of Dr. James Willingham,

On the further account of Dr. J. S. Lawton,

On the account of Isaac Vansant,

On the petition of O. Richardson,

On the petition of Jacob Woolfe, and

On the account of Dr. R. S. Mallett; which were severally ordered for consideration to-morrow.

Mr. McGOWAN, from the Committee on the Military, made a report on the petition of sundry citizens of Lancaster, praying for an Act exempting Managers of Elections from militia duty; which was ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made reports

On the petition of sundry citizens of Greenville, praying the discontinuance of a road;

On the petition of sundry citizens of Union, praying the opening of a new road;

On the presentments of the Grand Juries of Barnwell, Pickens, Chester, and Kershaw Districts;

On a Bill to alter and amend the License Laws of this State; and



On a Bill to repeal an Act entitled "An Act to alter and amend the License Laws of this State;" which were severally ordered for consideration to-morrow.

Mr. RICE, from the same Committee, to whom was referred the petition of William Langston, made a report, and reported a Bill to allow William Langston to hawk and peddle in Union District without the payment of the tax now imposed by law; which was read the first time, and with the report was ordered for a second reading and consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, made a report on the Bill to prescribe the mode and terms on which Municipal Corporations in this State may subscribe to the stock of railroad, plank road and canal companies; which was ordered for consideration to-morrow.

Mr. KING, from the same Committee, made reports

On the petitions of the Deacons of Black Swamp Baptist Church in Beaufort District; of the Town Council of Pendleton; of the United Congregations of Cedar Springs and Lower Long Cane, of the Associate Reformed Presbyterian Church; of the German Fire Company; of the German Ladies' Benevolent Society; and of the Eutaw Encampment, No. 2, I. O. O. F.;

Also, the petition of the Members of Bethlehem Church; which were severally ordered for consideration to-morrow.

Mr. CROSSON, from the same Committee, made a report on the petitions of the Deacons of the Steep Bottom Baptist Church; of the Hibernian Society of Columbia; of the Sumter Lodge, No. 23, I. O. O. F.; of George Barnwell and others; which was ordered for consideration to-morrow.

On motion of Mr. BLUM, the Committee on Accounts were discharged from further consideration of the accounts of R. S. Bailey, W. J. Randolph, V. Little, Gaillard & Aiken, E. A. Bronson, W. F. Darisoe, of the Charleston Mercury and of the Anderson Gazette, or public printing; which were severally referred to the Committee on Claims.

On motion of Mr. PITTS, the Committee on District Officers and Offices were discharged from the further consideration of the petitions of citizens of Union District, praying the appointment of William M. Dunn and of Nicholas Curry as Magistrates; and the same were severally referred to the Committee on Vacant Offices.

Mr. BRADLEY, from the Medical Committee, made reports

On the petition of Jno. B. and J. F. Davis;

On the account of Drs. Turpin and Jones; and

On the account of A. and S. A. Evans; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the Committee of Ways and Means, asked and obtained leave to make reports

On the petition of P. M. Bland;

On the petition of D. A. Bonnett;

On the petition of A. A. Bonnett; and

On the disbursement of the transient poor fund of Georgetown, and the petition of the Commissioners of Poor in said District; which were severally ordered for consideration to-morrow.

Mr. TILLINGHAST asked and obtained leave to make a report from the Committee on the Judiciary on a Bill to alter the law respecting grants of vacant lands; which was ordered for consideration to-morrow.

Mr. McGOWAN asked and obtained leave to present the annual report of the Greenville and Columbia Rail Road Company; which was referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. ANDERSON introduced a Bill to amend the charter of the Laurens Rail Road Company; which was read the first time, and was referred to the Committee on Incorporations.

On motion of Mr. R. E. CAMPBELL, it was ordered that the reporter of the Laurensville Herald be allowed a seat on this floor.

Mr. HOPE introduced the following resolution, which was ordered to be considered immediately, and was agreed to:

*Resolved*, That the Committee on the Legislative Library be instructed to inquire and report, whether it would not be advisable to make some distribution of the copies of Tuomey's Geological Survey of the State, now in the Library, and purchased at the last session.

Pursuant to notice and by leave of the House, Mr. MULLINS introduced a Bill to regulate the distribution of the appropriation for the support of Free Schools in this State, which was read the first time, and was referred to the Committee on Education.

Also, a bill to incorporate a company to construct a Rail Road from the junction of the Columbia and Camden branches of the South Carolina Rail Road to Hamburg, S. C., which was read the first time, and was referred to the Committee on Incorporations.

The Senate then attended, and joined the House in the ballot for the election of Commissioners in Equity for Anderson, Beaufort, Marion, Marlboro, Chesterfield, Spartanburg, and Orangeburg, and for Master and for Register in Equity for Charleston District.

Message No. 2 was received from His Excellency the Governor, and was read by John Peter Richardson, Jr., his Private Secretary.

The Senate then attended and joined the House in the ballot for Treasurer of the Lower Division.

On motion of Mr. READ, ordered,

That so much of the Message No 2 of His Excellency the Governor as relates to the College Commencement be referred to the Committee on Education.

That so much as relates to the Legionaries of Luxembourg and to the letter of Count de Choiseul be printed, and referred to the Committee on Claims.

Mr. GARLINGTON gave notice that he will ask leave to-morrow to introduce a Bill concerning the inspection of flour in the City of Charleston.

Mr. HAMPTON gave notice that he will ask leave to-morrow to introduce a Bill to establish a company under the name of the Columbia Manufacturing Company.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to authorize the formation of the Columbia and Hamburg Rail Road Company; which was read the first time, and was referred to the Committee on Incorporations.

Mr. ASHMORE, from the Committee appointed to count the votes on the ballot for the Treasurer of the Lower Division, reported that Mr. W. J. Laval had received one hundred and eleven votes, a majority of those cast.

Whereupon the SPEAKER announced that W. J. Laval was duly elected Treasurer of the Lower Division.

Mr. CHARLES asked and obtained leave to make the report of the Special Joint Committee, appointed to examine the Branch Bank at Camden, 1853; which was ordered to be printed, and to lie on the table.

Mr. MULLINS gave notice that he will ask leave to-morrow to introduce a Bill to establish a Branch of the Bank of the State of South Carolina, at Marion C. H.

Pursuant to notice, and by leave of the House, Mr. RICE introduced a Bill to exempt certain property from sale by sheriffs, and from being inventoried and sold by executors and administrators; which was read the first time, and was referred to the Committee on the Judiciary.

Mr. LEITNER gave notice that he will ask leave to-morrow to introduce a Bill to amend an Act entitled "An Act to convert the Arsenal at Columbia, and the Citadel and Magazine in and near Charleston into Military Schools," passed 20th December, 1842; and an Act to amend the same, passed 19th December, 1852.

On motion of Mr. CARWILE, leave of absence was granted to Mr. Christie, a member from Edgefield, until Tuesday next, 6th instant.

Mr. TILLINGHAST asked and obtained leave to give notice that he will to-morrow ask leave to introduce a Bill to charter the Charleston and Savannah Railroad Company.

Mr. O'BRYAN asked and obtained leave to give notice that he will to-

morrow ask leave to introduce a Bill to sell all the poor lands of St. Bartholomew's Parish.

Mr. MITCHELL asked and obtained leave to give notice that he will ask leave to-morrow to introduce a Bill to amend the Constitution in relation to the manner of voting for public officers.

Mr. HUNT asked and obtained leave to give notice that he will ask leave to-morrow to introduce a Bill to provide for the more perfect administration of justice, and for other purposes.

Mr. OWENS asked and obtained leave to give notice that he will to-morrow ask leave to introduce a Bill to regulate the trial of cases of forcible entry and detainer, and proceedings between landlord and tenant before courts of magistrates and freeholders.

Pursuant to notice and by leave of the House, Mr. OWENS introduced a Bill to provide for the measuring of lumber and timber in the City of Charleston, and to create the office of Inspector and Surveyor thereof; which was read the first time, and was referred to the Committee on Internal Improvements.

Pursuant to notice and by leave of the House, Mr. CLAWSON introduced a Bill to alter and amend an act entitled "an Act to repeal all acts and parts of acts authorizing Ordinaries to take possession of and administer derelict estates," passed 16th December, 1852.

On motion of Mr. McKNIGHT, it was ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. GREEN, the House was adjourned at 7 minutes past 8 o'clock, P. M.

## SATURDAY, DECEMBER 3, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when a quorum being present, the SPEAKER took the Chair, and the Journal of yesterday's proceedings was read.

The SPEAKER, under the amendments of the 60th Rule, called, in alphabetical order, the several Judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning the call at Abbeville; when

Mr. THOMSON presented the account of the Abbeville Banner for public printing; which was referred to the Committee on Claims.

Also the petition of sundry citizens of Ninety-six, praying an Act of incorporation; and

Mr. HEARST, the counter petition of W. S. Anderson and other resi-

dents of Ninety-six ; which were severally referred to the Committee on Incorporations.

Mr. SLOAN presented the account of Dr. Robert J. Gilliland, for post mortem examination ; which was referred to the Committee on Claims.

Also the petition of the Pendleton Delegation, for the appointment of Commissioners to assess damages sustained by the opening of a new road in Pickens District ; which was referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. SLOAN, leave of absence was granted to Mr. Brown, of the Pendleton Delegation, on account of domestic affliction.

Mr. LESESNE presented the petition of Charles Macbeth, praying for a grant of a portion of the Santee Canal on certain conditions ; which was referred to the Committee on Incorporations.

Mr. LANNEAU presented the account of the Courier office for public printing ; which was referred to the Committee on Claims.

Mr. ROSBOROUGH presented the account of Dr. J. L. Douglass, for post mortem examination ; which was referred to the Committee on Claims.

Mr. MOORER presented the return of the Commissioners of Free Schools for St. George's, Dorchester ; which was referred to the Committee on Education.

Also the petition of sundry citizens of Orange and St. George's praying that Cattle's Creek may be declared a public highway ; which was referred to the Committee on Internal Improvements.

Mr. CARWILE presented the petition of sundry citizens of Edgefield District, praying that the town of Edgefield be not rechartered ; which was referred to the Committee on Incorporations.

Mr. BOYLESTON presented the account of Gaillard & Aikin, for public printing.

Mr. SULLIVAN presented the account of R. M. Stokes, for public printing ; and

The petition of J. Atwood, Sheriff, praying compensation for services rendered.

Mr. WEATHERLY presented the account of John L. McLaurin, for timber trees taken to build a bridge ; and

The account of B. F. McGilvary, ex-Sheriff of Marlboro', for blankets furnished the jail, and for extraordinary expenses incurred in executing a convict ; which were severally referred the Committee on Claims.

Mr. GARLINGTON presented the account of the Newberry Sentinel, for public printing ; and

Mr. BRADLEY, the petition of Samuel J. Bradley, late Sheriff of Williamsburg District, praying compensation for services rendered the State ; which were severally referred to the Committee on Claims.

The SPEAKER then called for the reports of Standing Committees in their order; when

Mr. GARLINGTON, from the Committee on the Judiciary, made reports on

A Bill to amend the law in relation to Sheriffs; and

A Bill to regulate appeals at law; which were severally ordered for consideration on Monday next.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made reports

On the petition of the Commissioners of Pickens, praying the discontinuance of a road;

On the petition of sundry citizens of Chester, praying the discontinuance of a road;

On the petition of the Commissioners of Roads of Williamsburg, praying the opening of a new road;

On the petition of sundry citizens of Pickens, praying that the Commissioners of Roads be restricted to a maximum of twenty-five per cent.; and

On the petition of R. I. McFadden; which were severally ordered for consideration on Monday.

Mr. CHARLES, from the Committee on Public Buildings, made a report

On the presentment of the Grand Jury of Kershaw District, Spring Term, 1853; which was ordered for consideration on Monday.

On motion of Mr. McCRADY, the Committee on Incorporations was discharged from the further consideration of the petition of sundry citizens of Orangeburg District, praying that they be established into a company for clearing and improving the navigation of Good Land Swamp; which, on motion of Mr. McCRADY, was referred to the Committee on Internal Improvements.

Of a Bill to amend an Act entitled "An Act to authorize the formation of the Savannah River Valley Rail Road Company, and for other purposes;" and

Of a Bill to amend the charter of the Greenville and Columbia Rail Road Company, and for other purposes; which were severally referred to the Committee of Ways and Means.

Mr. KING, from the Committee on Incorporations, made a report on a Bill to amend the charter of the Firemen's Insurance Company of Charleston; and

Mr. RICE, from the same Committee, made a report on a Bill to authorize the Spartanburg and Union Rail Road Company to extend their Road from Spartanburg C. H. to some point on the North Carolina line in

the direction of Asheville or Rutherford; which were severally ordered for consideration on Monday.

Mr. READ, from the Committee on Colored Population, made reports

On the petition of William Graham;

On the presentment of the Grand Jury of Kershaw District; which were severally ordered for consideration on Monday.

On motion of Mr. READ, the Committee on Colored Population was discharged from the further consideration of the memorial of James M. Collier, late Jailor of Kershaw; and the same was referred to the Committee on Claims.

Mr. PITTS, from the Committee on District Officers and Offices, to whom had been referred the petition of sundry citizens of Pendleton, relative to weights and measures, made a report, and reported a Bill to amend the law in relation to weights and measures; which was read the first time, and, with the report, was ordered for consideration on Monday.

On motion of Mr. PITTS, the Committee on District Officers and Offices was discharged from further consideration of the counter petition of sundry citizens of Pickens, praying refusal of the erection of a mill-dam swamp across Little River; which was referred to the Committee on Internal Improvements; and

Of the petition for the appointment of a magistrate in Pickens District; which was referred to the Committee on Vacant Offices.

Mr. MIDDLETON asked and obtained leave to make a report from the Committee of Ways and Means,

On the memorial of the Bank of South Carolina;

On the petition of the President, Directors and Stockholders of the State Bank;

On the petition of the Bank of Camden, South Carolina;

On the petition of the Stockholders of the Bank of Hamburg;

On the petition of sundry residents of Charleston, praying for the Incorporation of a bank, to be called the Central Bank of South Carolina;

The petition of the Bank of Charleston, South Carolina, praying for a renewal of their charter; and reported

A Bill to define the principles on which Joint Stock Companies shall be incorporated, and to charter the Bank of South Carolina, the Bank of Charleston, the State Bank, the Bank of Hamburg, the Merchants' Bank of South Carolina at Cheraw, and the Central Bank of South Carolina; which was read the first time, and with the report, was ordered for consideration on Monday.

Mr. ASHMORE, from the Committee on Claims, asked and obtained leave to make reports

On the petition of James Bonds;

On the account of Dr. J. W. Thompson;

On the account of Dr. M. Kelly; and

On the account of Dr. James W. Stephens; which were ordered for consideration on Monday.

Mr. SULLIVAN asked and obtained leave to make a report from the Committee on Education, on so much of the Governor's Message, No. 2, as communicates the invitation of the Trustees of the South Carolina College to attend the College Commencement; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

The Senate sent to this House, the report of the Committee on the College, Education and Religion, on Message No. 2 of his Excellency the Governor; which was referred to the Committee on Education.

The SPEAKER then, under the amendment to the 60th rule, called in alphabetical order of Judicial Districts for resolutions, bills, and motions, beginning at Abbeville; when

Mr. THOMSON gave notice that he would ask leave, on Monday next, to introduce a Bill for a charter for a railroad from Abbeville Village to Savannah River, in the direction of Washington, Georgia.

#### SPECIAL ORDER.

The call was suspended, and the House proceeded to the consideration of a Bill to establish Boards of Instruction for Common Schools, and for other purposes; which had been made the special order of the day for this day at 1 o'clock, P. M.; and

On motion of Mr. SULLIVAN, the special order was discharged, and the Bill made the special order of the day for Tuesday next, 6th inst., at 1 o'clock, P. M.

Mr. SLOAN presented the following Resolutions, which were ordered for consideration on Monday:

*Resolved*, That this General Assembly highly appreciates the patriotic and meritorious conduct of her gallant son, Brevet Captain Barnard E. Bee, of the U. S. A., as discharged in the engagements of Palo Alto, Resaca de la Palma, Vera Cruz, Cerro Gordo, Contreras, Churubusco, Chapultapec, and the City of Mexico.

*Resolved*, That his Excellency the Governor be requested to provide a suitable sword, and present the same on behalf of this State as a testimonial of its estimation of that distinguished officer.

Mr. HEARST gave notice that he will ask leave, on Monday, to introduce a Bill to make malicious trespasses indictable, whether on real or personal property.

Pursuant to notice, and by leave of the House, Mr. TILLINGHAST



introduced a Bill to charter the Charleston and Savannah Railroad Company ; which was read the first time, and referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. REYNOLDS introduced a Bill to renew and amend the charter the of the State Bank ; which was read the first time, and was referred to the Committee of Ways and Means.

Mr. LESESNE gave notice that he will ask leave, on Monday, to introduce a Bill to amend the Act of 1847, entitled an Act relating to the survey of the coast of South Carolina under the authority of the United States.

Pursuant to notice and by leave of the House, Mr. J. B. CAMPBELL introduced a Bill to enlarge the jurisdiction of the City Court of Charleston, and to secure the better administration of justice therein ; which was read the first time, and was referred the Committee on the Judiciary.

Mr. CASH gave notice that he will ask leave, on Monday, to introduce a Bill to authorize the union of the Cheraw and Anson Plank Road Company with the Anson Plank Road Company.

Pursuant to notice and by leave of the House, Mr. O'BRYAN introduced a Bill to sell the poor lands of St. Bartholomew's Parish ; which was read the first time, and was referred to the Committee on District Officers and Offices.

Mr. ALLEN, from the Committee to count the votes cast on the ballot for Commissioners, Master and Register in Equity, reported that James H. Witherspoon had received a majority of the votes cast for Commissioner in Equity of Lancaster District ; that A. O. Norris had received a majority for Anderson District ; J. C. Craig, for Chesterfield District ; T. O. P. Vernon, for Spartanburg District ; R. J. Davant, for Beaufort District ; V. D. V. Jamison, for Orangeburg District ; E. P. Ervin, for Marlboro' District ; C. D. Evans, for Marion District ; James W. Gray, for Master in Equity for Charleston District ; and Thomas J. Gantt, for Register in Equity for the same District.

Whereupon the SPEAKER announced that the above named gentlemen were elected to the above named offices of said Districts respectively.

Pursuant to notice, and by leave of the House, Mr. B. F. PERRY introduced a Bill to render incompetent to prove a Will all subscribing witnesses to the same to whom any bequest or legacy is given in the said Will ; which was read the first time, and was referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. KERSHAW introduced a Bill to authorize the South Carolina Railroad Company to build a

certain bridge over the Wateree River; which was read the first time, and was referred to the Committee on Internal Improvements.

Pursuant to notice, and by leave of the House, Mr. GARLINGTON introduced a Bill concerning the Inspection of Flour in Charleston; which was read the first time, and was referred to the Committee on Agriculture.

Pursuant to notice and by leave of the House, Mr. HAMPTON introduced a Bill to establish a Company, under the name of the Columbia Iron Manufacturing Company; which was read the first time, and was referred to the Committee on Incorporations.

Pursuant to notice and by leave of the House, Mr. LEITNER introduced a Bill to amend an act entitled "An Act to convert the Arsenal at Columbia, and the Citadel and Magazine in and near Charleston, into Military Schools," passed 20th December, 1842, and an act to amend the same, passed 19th December, 1852; which was read the first time, and was referred to the Committee on the Military.

On motion of Mr. GREEN, it was ordered that a Message be sent to the Senate, proposing to that body to unite with this House in a joint ballot for Solicitor for the Eastern Circuit, on Tuesday next, at  $\frac{1}{2}$  past 12 o'clock, P. M.

Pursuant to notice, and by leave of the House, Mr. GADBERRY introduced a Bill to confer Banking Privileges on the Stockholders of the Spartanburg and Union Railroad Company, on certain terms and conditions; which was read the first time, and was referred to the Committee of Ways and Means.

The Senate sent to this House, for concurrence, a resolution providing a sword or other testimonial to Captain Duncan N. Ingraham, U. S. N.; which was ordered for consideration on Monday.

Mr. CASH asked and obtained leave to present the petition of the Anson and Cheraw Plank Road Company, praying an amendment of charter; which was referred to the Committee on Incorporations.

Mr. HAMPTON asked and obtained leave to present the account of R. W. Gibbes, for public printing.

Mr. LESESNE presented the account of Dr. Henry Winthrop, for *post mortem* examination; which were severally referred to the Committee on Claims.

Mr. HASKELL presented the petition of James B. Campbell, praying the appointment of a new Board of Commissioners of Caw Caw Swamp, under the provision of the Act of 1795; which was referred to the Committee on Agriculture.

Mr. TORRE obtained leave to present the petition of the Board of Fire Masters of Charleston, praying a reduction in the number of members of the

Axe Company of Charleston; which was referred to the Committee on Incorporations.

On motion of Mr. HAMPTON, the Special Committee appointed in relation to the Water Works of Columbia, at the last session of the General Assembly, was discharged from further consideration of that subject; and, on motion of Mr. HAMPTON, the petitioners had leave to withdraw their petition.

Mr. HUNT asked and obtained leave, pursuant to notice, to introduce a Bill for the more perfect administration of justice, and for other purposes; which was read the first time, and

On motion of Mr. HUNT, was referred to a Special Joint Committee, to consist of the Committees on the Judiciary of this House and of the Senate.

On motion of Mr. HUNT, it was ordered that a message be sent to the Senate, proposing the appointment of and this reference to the same Joint Committee.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The following Reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence:

Report of the Committee of Ways and Means on the petition of Margaret Moore.

Report of the Committee on the Judiciary on the petition of McCarter & Co.

Reports of the Committee on Claims:

On the account of Dr. L. B. Johnson;

On the account of Dr. R. W. Gibbes, for a post mortem examination;

On the account of Dr. Sydney Smith;

On the account of Dr. N. H. Johnson;

On the account of Dr. J. P. Chazal;

On the account of Dr. D. M. Lafitte;

On the account of Dr. H. W. DeSaussure;

On the petition of F. Stephens and J. C. Lanier;

On the petition of H. M. Quattlebaum;

On the account of R. W. Walker;

On the account of Thomas Boon;

On the account of B. S. Lucas;

On the account of W. A. McDaniel; and

On the account of the Charleston Mercury.

The following Reports were considered and agreed to:

Report of the Committee on the Judiciary, on so much of the Present-

ment of the Grand Jury of Pickens as relates to the jurisdiction of Magistrates:

Report of the Committee on Claims, on the petition of P. D. Stokes;

Report of the same Committee on the petition of David Roundtree; which said petition Mr. HEARST obtained leave to withdraw.

On motion of Mr. BOYLSTON, it was ordered that the Reporter of the Fairfield Herald was allowed a seat on this floor, and

On motion of Mr. B. F. PERRY, the same privilege was granted to the Reporter of the Greenville Mountaineer.

On motion of Mr. KERSHAW, it was ordered, that when this House adjourns, it shall be adjourned to meet on Monday, at 9 o'clock, A. M.

On motion of Mr. BRADLEY, the House was adjourned at ten minutes past 3 o'clock, P. M.

MONDAY, DECEMBER 5, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when a quorum being present, the SPEAKER took the Chair, and the Journal of Saturday's proceedings was read.

The Senate returned to this House, with their concurrence, the report of the Committee on Education on so much of Message No. 2 of his Excellency the Governor, as relates to the commencement of the South Carolina College.

The Senate sent to this House the following Bills; which were read the first time.

A Bill to establish a Rifle Battalion in the Parishes of St. Philip's and St. Michael's; and

A Bill to reduce the salary of the Adjutant and Inspector General; which were severally referred to the Committee on the Military.

A Bill to vest the right and title of the State in and to a certain lot of land in the town of Darlington in Joseph Frank;

A Bill to confer on Isaac Iseman and Marx Iseman certain rights and privileges in relation to a piece of land by them purchased;

A Bill to amend the law in relation to Sheriffs;

A Bill to alter the law in relation to the duties of Ordinaries in taking administration bonds; and

A Bill to alter the system of pleadings in courts of law; which were severally referred to the Committee on the Judiciary.

The Senate also sent to this House the report of the Committee on the

Military and Pensions on the claim of John G. Bowman; which was referred to the Committee on the Military.

On motion of Mr. SLOAN, the House joined the procession, and attended the exercises of the commencement of the South Carolina College.

### COLLEGE COMMENCEMENT.

The SPEAKER having resumed the Chair, laid before the House

The report of the Attorney General on District Officers and Offices; which was referred to the Committee on the Judiciary; and

The report of the Attorney General on the state of the debt due by Barnard E. Bee to the Ludlam School Fund; which was referred to the Committee on Education.

The SPEAKER then called, in alphabetical order of Judicial Districts, for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning the call at Abbeville.

Mr. LAWTON presented the petition of the Stockholders of the line of steamships trading between Charleston and New York, praying that they may be relieved from the tax imposed upon them by an Act passed 17th December, 1841; which was referred to the Charleston Delegation.

Mr. LESENE presented the account of Dr. William Pettigrew, for medical services; which was referred to the Committee on Claims.

Mr. TORRE presented the petition of the Phoenix Fire Engine Company, of Charleston, praying a re-charter; which was referred to the Committee on Incorporations.

Mr. PORCHER presented the returns of the Commissioners of Free Schools, for St. Stephens' Parish; which was referred to the Committee on Education.

Mr. ELLIOTT presented the petition of the Commissioners of Roads of St. Thomas' Parish, praying for the re-charter of a Ferry over Wando River; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CRUIKSHANK presented the petition of the officers and members of the "Oaks Club," praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Also, the Report of the Board of Visitors of the State Military Academies; which was ordered to be printed, and to be referred to the Committee on the Military;

Also, the petition of J. M. Eason & Brother, praying for compensation for services rendered the Ordnance Department; which was referred to the Military Committee.

Mr. REYNOLDS presented the petition of James Campbell, to release to him the right of the State in the real estate of Peter Campbell; which was referred to the Committee on the Judiciary.

Mr. HASKELL presented the return of the Commissioners of Free Schools, for St. Paul's Parish; which was referred to the Committee on Education.

Mr. ERVIN presented the petition of the Society Hill Library Society, for renewal of charter; which was referred to the Committee on Incorporations.

Mr. HAMMOND presented the petition of John E. McDonald, praying to be released from his indebtedness to the State; which was referred to the Committee of Ways and Means.

Mr. B. F. PERRY presented the account of H. Nelson Wheaton, for advertising;

Mr. GARLINGTON presented the account of Dr. Charles W. Hodges, for post mortem examination: and

Also, the account of Dr. W. F. Holmes, for post mortem examination; which were severally referred to the Committee on Claims.

Mr. TUCKER presented the petition of sundry citizens of the Town of Spartanburg, praying an amendment to the charter of that town; which was referred to the Committee on Incorporations.

The SPEAKER then called for reports of Standing and Special Committees.

Mr. MITCHELL, from the Committee on the Judiciary, made reports on so much of the Governor's Message, No. 1, as relates to the Boundary between South Carolina and Georgia; and on

A Bill to change the name of Spartanburg District; which were severally ordered for consideration to-morrow.

On motion of Mr. McCRADY, the Committee on Incorporations was discharged from the further consideration of the memorial of James Jones and Joseph J. Kennedy; which was then referred to the Committee on Roads, Bridges and Ferries.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred a Bill to subscribe, on the part of the State, to the Blue Ridge Railroad in South Carolina, made a report and, reported a Bill to authorize aid to the Blue Ridge Railroad in South Carolina; which was read the first time, and with the report, was ordered for a second reading to-morrow.

Mr. MIDDLETON, from the same Committee, to whom had been referred

A Bill to re-charter the Merchants' Bank of South Carolina, at Cheraw;

A Bill to renew the charter of the Bank of Charleston, South Carolina;

A Bill to renew the charter of the Bank of South Carolina; and

A Bill to re-charter the Bank of Camden, South Carolina, made reports; which were severally ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports On the petition of Commissioners of Public Buildings, for Abbeville District;

On the presentment of the Grand Jury of Lexington District, Fall Term, 1853, and the memorial of the Commissioners of Public Buildings, of said District;

On the presentment of the Grand Jury of Colleton, Fall Term, 1853 : and

On the presentment of the Grand Jury of Barnwell, Fall Term, 1853 ; which were severally ordered for consideration to-morrow.

Mr. PITTS, from the Committee on District Officers and Offices, made reports,

On the presentment of the Grand Jury of Barnwell, Fall Term, 1853 : and

On the petition of the Commissioners of the Poor for Pickens ; and reported a Bill to authorize the Commissioners of the Poor for Pickens District to sell certain lands and for other purposes ; which was read the first time, and with the reports was ordered for consideration to-morrow.

The SPEAKER then called, in alphabetical order of Judicial Districts for resolutions, bills and motions, beginning at Abbeville.

Pursuant to notice and by leave of the House Mr. HEARST introduced a Bill to make malicious trespasses indictable, whether upon real or personal property ; which was read the first time and was referred to the Committee on the Judiciary.

Mr. OWENS introduced the following preamble and resolution ; which, on motion of Mr. OWENS, were ordered to be printed, and were made the special order of the day for Thursday next, 8th instant, at 1 o'clock P. M.

*Whereas*, It is a custom sanctioned in its observance by the practice of ages, and commended by the wisest consideration of State and individual gratitude, to perpetuate, in the most enduring manner, the memory of distinguished patriots and great public benefactors. And,

*Whereas*, The State of South Carolina, while rejoicing as the mother of many sons whose memories she will not willingly let die, was pre-eminently honored by the illustrious services and self-denying patriotism of JOHN C. CALHOUN ; and is called upon not only by a regard for her own fame, but by the strongest appeals of justice and duty, to give to posterity an appropriate memorial of her distinguished son ; therefore, be it

*Resolved*, That the sum of thirty thousand dollars be placed at the disposal of His Excellency, the Governor, for the erection of a monument in the town of Columbia, opposite the Capitol, to the memory of JOHN C. CALHOUN.

*Resolved*, That His Excellency, the Governor, be requested to issue his

proclamation, calling upon the people of this State to meet in their several Districts to contribute and forward to him, by the first day of May next, such voluntary contributions as they may feel disposed to make in furtherance of the object herein contemplated.

Pursuant to notice and by leave of the House, Mr. CASH introduced a Bill to authorize the union of the Cheraw and Anson Plank Road Company with the Anson Plank Road Company; which was read the first time and was referred to the Committee on Incorporations.

On motion of Mr. CLARKE, it was ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock M. to-morrow.

The call for Resolutions, Bills and Motions being interrupted at the District of Fairfield, the SPEAKER suspended the further call, and

On motion of Mr. CLARKE, the House was adjourned at eleven minutes past 3 o'clock, P. M.

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TUESDAY, DECEMBER 6, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The SPEAKER, under the amendments of the 60th Rule, called, in alphabetical order, the several Judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers.

Mr. HEARST presented the account of J. J. Brown, for public printing; which was referred to the Committee on Claims.

Also the petition of sundry citizens of Edgefield District, praying for the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. B. J. JOHNSON presented the petition of sundry citizens of St. Helena Parish, in relation to the public road leading from the town of Beaufort to Port Royal Ferry; which was referred to the Committee on Incorporations.

Also the petition of the Town Council of Beaufort, relating to certain obstructions of the streets of the said town; which was referred to the Committee on Grievances; and

Also the account of the Town Council of Beaufort, with the transient poor fund; which was referred to the Committee of Ways and Means.

Mr. LESESNE presented the account of William Rice, Administrator



of Lawrence Ryan, late City Sheriff of Charleston, deceased; which was referred to the Committee on Claims.

Mr. REYNOLDS presented the memorial of the City Council of Charleston, praying that they be authorized to introduce water into the city from Edisto River, or any other source within sixty-five miles of the city, and that the powers and privileges of the Charleston Water Company be transferred to them.

Mr. LESESNE presented the petition of the Charleston Port Society, for promoting the Gospel among the seamen, praying for a recharter.

Mr. BLAKENEY presented the petition of the Town Council and certain citizens of Cheraw, to extend the charter, and confer certain judicial powers on the Council of said town;

Also the petition of certain citizens of Cheraw to extend and define the corporate limits of Cheraw; and

Also the counter petition thereto; which were severally referred to the Committee on Incorporations.

Mr. McBEE presented the petition of sundry citizens of Greenville, asking for an alteration in the present Free School system; which was referred to the Committee on Education.

Mr. DUNCAN presented the resignation of C. J. Elford as magistrate for Greenville District; which was referred to the Committee on Vacant Offices.

The following message was received from the Senate:

IN THE SENATE, Dec. 6, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate concurs in the message from your House notifying them of the appointment of a Special Committee to consider a Bill for the more perfect and prompt administration of justice, and for other purposes, and has appointed Messrs. Moses, Porter, McAliley, and DeTreville a Special Joint Committee on the part of the Senate to consider the said Bill.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. CURETON presented the account of Dr. W. C. Cauthen, for post mortem examination; which was referred to the Committee on Claims.

Mr. HOPE presented the petition of the citizens of Lexington village, praying an Act of incorporation; which was referred to the Committee on Incorporations.

Mr. HAMPTON presented the account of W. W. Purse, for work done in the House of Representatives; which was referred to the Committee on Claims.

Mr. TUCKER presented the report of the Solicitor of the Western Circuit on District Officers and Offices ; which was referred to the Committee on the Judiciary.

Mr. LEITNER presented the report of the Commissioners of the Deaf, Dumb and Blind ; which was referred to the Committee on Education.

Mr. GADBERRY presented the memorial of sundry citizens of Union District, praying that the navigation of Pacolet River be closed between the Skull and Grindle Shoals ; which was referred to the Committee on Internal Improvements.

Mr. BRADLEY presented the petition of the citizens of Williamsburg, praying the establishment of another election precinct in that District ; which was referred to the Committee on Privileges and Elections.

The SPEAKER then called for reports of the Standing and Special Committees.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports on

A Bill to repeal the sixth section of an Act to extend the charter of the Bank of the State, passed 16th December, 1852 ; and

A Bill to renew and amend the charter of the State Bank ; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom had been referred a Bill to extend the time for securing the capital stock ; and for organizing the Western Bank of South Carolina at Anderson ; made a report, and reported

A Bill to extend the time for receiving subscriptions to the Western Bank of South Carolina at Anderson ; which was read the first time, and, with the report, was ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, made a report on the Report of the State Proxies in the South Carolina Rail Road Company ; which was ordered to be printed, and was also ordered for consideration to-morrow.

Mr. HUTSON, from the Committee on the Judiciary, made a report on the petition of J. J. Gibson ; which was ordered for consideration to-morrow.

Mr. B. F. PERRY, from the same Committee, made reports on

A Bill to render incompetent to prove a will all subscribing witnesses to the same, to whom any bequest or legacy is given in the said will ; and

A Bill respecting wills ; which were severally ordered for consideration to-morrow.

Mr. VANCE, from the Committee on Internal Improvements, made reports,

On a Bill to authorise the South Carolina Rail Road Company to construct a certain bridge over the Wateree River ;

On the petition of sundry citizens of Camden and Kershaw District, in relation to a bridge over the Wateree River, which were severally ordered for consideration to-morrow.

On motion of Mr. VANCE, the same Committee was discharged from further consideration of the petition of sundry citizens of Orangeburg in relation to the navigation of Good Land Swamp ; and,

On motion of Mr. VANCE, the said petition was referred to the Committee on Incorporations.

Mr. GARLINGTON, from the Committee on Internal Improvements, made a report on

A Bill to provide for the measuring of Lumber and Timber in the city of Charleston, and to create the office of Inspector and Surveyor thereof, which was ordered for consideration to-morrow.

Mr. LEITNER, from the same Committee, made reports,

On the petition of sundry citizens of Orange and St. George's, in relation to Cattle's Creek ;

On the petition of sundry citizens of Barnwell, in relation to Tinker's Creek ; and reported

A Bill to declare a certain description of streams navigable and for other purposes, which was read the first time and, with the reports, was ordered for consideration to-morrow.

Mr. MCGOWAN, from the Committee on the Military, made reports,

On the petition of Lewis Croxton ;

On the petition of John G. Bowman ;

On a Bill to amend the 95th section of an Act entitled " An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State to one Act, and to alter and amend the same ;"

On a bill to exempt the survivors of the South Carolina Volunteers in the Florida war from ordinary militia duty ;

On a Bill to alter and amend the 15th section of an Act entitled " An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State into one Act ;"

On another Bill to alter and amend the 15th section of an Act entitled " An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State, to one Act, and to alter and amend the same ;" which were severally ordered for consideration to-morrow.

Mr. MCGOWAN, from the same Committee, to whom was referred the petition of the Washington Light Infantry, Moultrie Guards and others, made a report and reported

A Bill to establish a Rifle Battalion in the parishes of St. Phillip's

and St. Michael's; which was read the first time, and with the report was ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made reports

On the petition and counter petition of sundry citizens of Abbeville, in relation to the opening of a new road;

On a Bill affording compensation to Commissioners of Roads, Bridges and Ferries, and for other purposes;

On a Bill to compel the Commissioners of Roads for Salem county, in Sumter district to re-open the road from Lynchburg to Lynch's Creek, known as a part of the direct road leading by way of Muldrow's crossing from Sumterville to Darlington C. H., and conjointly with the Board of Commissioners for Darlington District to bridge the stream of Lynch's Creek at Durant's old ferry;

On a Bill to alter and amend the License Laws of this State, in certain particulars.

Mr. READ, from the Committee on Colored Population, to whom was referred so much of the Governor's Message, No. 1, as relates to the law preventing free persons of color from entering into this State, made a report, and reported

A Bill to amend an Act more effectually to prevent free negroes and other persons of color from entering into this State, and for other purposes, passed on the 19th of December, 1835; which was read the first time, and with the report was ordered for consideration to-morrow.

#### SPECIAL ORDER.

On motion of Mr. POPPENHEIM, the House proceeded to the consideration of sundry Bills in relation to the election of Electors for President and Vice President of the United States, by the State, which had been made the special order of the day for this day, at 1 o'clock, P. M., and

On motion of Mr. McCRADY, the special order was discharged, and the said Bills were made the special order of the day for Wednesday next, 7th inst., at 1 o'clock, P. M.

#### SPECIAL ORDER.

On motion of Mr. MULLINS, the House proceeded to the consideration of a Bill to establish Boards of Instruction for Common Schools, and for other purposes, which had been made the special order of the day for this day, at 1 o'clock, P. M.

The Bill was read the second time, and

On motion of Mr. MULLINS, it was ordered that the discussion upon

the Bill be suspended, and that the Bill be made the special order of the day for Friday next, at 1 o'clock, P. M.

The following Message was received from the Senate, which, on motion of Mr. MULLINS, was concurred in, and an answer returned.

IN THE SENATE, December 6, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully proposes to your House to go into an election for Solicitor of the Eastern Circuit on Thursday next, at 1 o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The SPEAKER resumed the call.

Mr. CURETON, from the Committee on Grievances, made a report on the presentment of the Grand Jury of Marlboro' District,, October term, 1853, which was ordered for consideration to-morrow.

On motion of Mr. B. J. JOHNSON, the Committee on Vacant Offices was discharged from further consideration of

The petitions of sundry citizens of Union District, praying the appointment of Nicholas Curry and of William Dunn as Magistrates;

The petition for the appointment of a Magistrate in Lexington; and

The petition for the appointment of a Magistrate in Pickens; and

On motion of Mr. B. J. JOHNSON, the same were referred to the Delegation of the abovenamed Districts, respectively.

The SPEAKER, under the amendments to the 60th Rule, then called in alphabetical order of Judicial Districts for Resolutions, Bills, and Motions, beginning the call, where it was interrupted yesterday, at Fairfield.

Mr. B. F. PERRY gave notice that he will ask leave to-morrow to introduce a Bill to alter the sittings of the Courts of Law on the Western Circuit.

Mr. HOPE gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the town of Lexington.

On motion of Mr. HOPE, it was ordered that the Reporter of the Lexington Telegraph be allowed a seat on this floor.

Mr. WALLACE introduced the following resolution; which was ordered for consideration to-morrow:

*Resolved, That His Excellency, the Governor, be requested to furnish to this House from such record of the proceedings of their Board of Ordnance as he may have access to, and from the account of the present officer of Ordnance, an account of the expenditure of the sum of \$300,000, appropriated for the defence of the State in the year 1851.*

On motion of Mr. TILLINGHAST, it was ordered that the use of this Hall be given to the Agricultural Convention for the purpose of hearing an address from Prof. Brumby, on Wednesday evening at half-past 6 o'clock.

Mr. TILLINGHAST introduced the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That a Committee consisting of one from each Congressional District be appointed to nominate suitable persons as President and Directors of the Bank of the State of South Carolina, and that a Message be sent to the Senate requesting that body to appoint a similar Committee to meet the Committee on the part of this House.

Mr. TORRE gave notice that he will ask leave to-morrow to introduce a Bill to amend an Act to incorporate the Florida Steam Packet Company.

On motion of Mr. SEIGLING, it was ordered that the use of this Hall be granted to the South Carolina Press Association, this evening at 7 o'clock, P. M.

Mr. MITCHELL gave notice that he will ask leave to-morrow to introduce a Bill to amend the Law in relation to pleadings and practice in the Courts of Equity and the sales of Masters by order of that Court;

Also a Bill to amend the Law in relation to punishment in cases of Larceny.

Pursuant to notice, and by leave of the House, Mr. LESESNE introduced a Bill to amend an Act entitled An Act relating to the Survey of the Coast of South Carolina under the authority of the United States; which was read the first time, and was referred to the Committee on the Judiciary.

Mr. HAMMOND obtained leave to withdraw from the files of the House the petition of J. L. McDonald and Tully F. Sullivan.

The SPEAKER suspended the call at Fairfield.

### GENERAL ORDERS.

The House then proceeded to the consideration of the General Orders :

A Bill to repeal 6th Section of an Act entitled An Act to extend the Charter of the Bank of the State of South Carolina, was read the second time and the question shall the Bill be sent to the Senate? It passed in the affirmative.

The Yeas and Nays were called for and are as follows :

Ayes, 56—Noes, 47.

Those who voted in the affirmative, were

Messrs. Alexander,

Allen,

Bates,

Messrs. Beaty,

Blakeney,

Byrd,

Messrs. A. G. Campbell,  
 Carwile,  
 Cash,  
 Canthen,  
 Charles,  
 Clarke,  
 Cureton,  
 Dantzler,  
 Duncan,  
 Ellis,  
 Ervin,  
 Felder,  
 Fox,  
 Gadberry,  
 Green,  
 Hammond,  
 Harrison,  
 Haskell,  
 Hearst,  
 Hope,  
 Hudgens,  
 Hutson,  
 W. R. Johnson,  
 A. R. Johnston,  
 Jordan,

Messrs. Larneau,  
 Lawton,  
 Leitner,  
 McGowan,  
 Melton,  
 Mobley,  
 Mullins,  
 Munro,  
 Murray,  
 O'Bryan,  
 Owens,  
 Patterson,  
 Pickens,  
 Rosborough,  
 Springs,  
 Sullivan,  
 Thompson,  
 Tillinghast,  
 Tradewell,  
 Trotti,  
 Tucker,  
 Vance,  
 Walker,  
 Winsmith. and  
 Witherspoon.

Those who voted in the négative were :

Hon. JAMES SIMONS, Speaker, and

Messrs. Anderson,  
 Blum,  
 Boykin,  
 Boylston,  
 Broyles,  
 Burnet,  
 Butler,  
 R. E. Campbell,  
 Crosson,  
 Cruikshank,  
 Durant,  
 Elliott,  
 Flagg,

Messrs. Garlington,  
 Gourdin,  
 Hampton,  
 Hunt,  
 B. J. Johnson,  
 Kershaw,  
 King,  
 Lesesne,  
 McBee,  
 McCrady,  
 Manigault,  
 Maxwell,  
 Middleton,

Messrs. Mitchell,  
Moorer,  
Morgan,  
B. F. Perry,  
J. B. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Rice,

Messrs. Seabrook,  
Seigling,  
Steele,  
Stokes,  
Thornwell,  
Torre,  
Trenholm,  
Wallace,  
Weatherly, and  
Wescott.

On motion of Mr. MULLINS, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow at 12 o'clock, M.

On motion of Mr. MULLINS, the House was adjourned at 56 minutes past 3 o'clock, P. M.

## WEDNESDAY, DECEMBER 7, 1853.

At the hour to which the House was adjourned the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House the following Bills; which were read the first time:

A Bill to charter the Charleston and Savannah Rail Road Company;

A Bill to amend an Act entitled "An Act to charter the Lancaster Rail Road Company, passed on the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two;

A Bill to authorize the Spartanburg and Union Rail Road Company to extend their road from some point at or near Spartanburg C. H., to some point on the North Carolina line in the direction of Asheville or Rutherford and

A Bill to incorporate the South Carolina Building and Saving Institution; which were severally referred to the Committee on Incorporations; and

A Bill to declare and amend the law in relation to wills, deeds, and other instruments in writing; which was referred to the Committee on the Judiciary.

The Senate returned to this House with their concurrence,  
Reports of the Committee on Claims.

On the account of R. W. Gibbes for Richardson's Equity Report;



On the account of David Sistrunk ;  
 On the petition of Daniel Keels ;  
 On the account of Thomas J. Eccles ;  
 On the account of L. M. Grist ;  
 On the account of Gilbert & Fraser ; and  
 On the further account of Gilbert & Fraser.

The Senate sent to this House for concurrence the reports of the Committee on Claims and Grievances

On the account of James Powell ; and

On the account of the Sumter Banner.

The reports of the Committee on the Lunatic Asylum and Medical Accounts

On the account of Dr. A. W. Kennedy ; and

On the account of Dr. J. P. Chazal ; which were severally referred to the Committee on Claims.

The reports of the Committee on Claims and Grievances

On the petition of Margaret Moore, praying to be refunded a tax twice paid ; and

On the petition of Peyton M. Bland, praying to be refunded a tax improperly collected ; which were severally referred to the Committee of Ways and Means.

The SPEAKER, under the amendments of 60th Rule, called, in alphabetical order of Judicial Districts, for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers.

Mr. PATTERSON presented the account of Dr. J. H. Pooser, for post mortem examination ; which was referred to the Committee on Claims.

Mr. SEIGLING presented the memorial of sundry citizens to repeal an Act passed in the year 1852, entitled "An Act to appoint Commissioners to ascertain and define the proper direction and dimensions of the streets of the town of Moultrieville, and to remove all obstructions in such streets."

Mr. MELTON presented the petition of sundry citizens of the town of Chester, praying amendments to their charter of incorporation ; which were severally referred to the Committee on Incorporations.

Mr. J. B. PERRY presented the petition of sundry citizens of St. Bartholomew's Parish, praying permission to erect gates on the Chyhaw Road ; and

Also the petition of Mrs. E. P. Pinckney, protesting against the opening of a road through her plantation in St. Bartholomew's ; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. MOORER presented the petition of David Gavin, executor of the estate of William Warner, praying an alteration of the law as regards executors, administrators, guardians, &c. ; which was referred to the Committee on the Judiciary.

Mr. CHARLES presented the account of Dr. R. L. Hart, for post mortem examination ; which was referred to the Committee on Claims.

Mr. ERVIN presented the report of the President and Directors of the Cheraw and Darlington Rail Road Company for 1853 ; which was referred to the Committee of Ways and Means.

Mr. BYRD presented the petition of sundry citizens of Darlington, praying the opening of a new road in said District ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. ALLEN presented the memorial of sundry citizens of Edgefield District in behalf of the Columbia and Hamburg Rail Road ; which was referred to the Committee on Incorporations.

Mr. HARRISON presented the petition of sundry citizens of Edgefield,, adverse to a petition praying for the opening of a new road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. HAMMOND presented the petition of sundry citizens of Edgefield District, praying that the laws in relation to the navigation of Horse Creek be not repealed ; which was referred to the Committee on Internal Improvements ;

Also the petition of John E. McDonald and Tully F. Sullivan, praying for an equitable settlement of a debt due to the State ; which was referred to the Committee of Ways and Means.

Mr. CARWILE presented the account of Dr. Llewellyn Hobbs, for post mortem examination ; which was referred to the Committee on Claims.

Mr. B. F. PERRY presented the report of the Commissioners of Public Works ; which was referred to the Committee on Internal Improvements.

Mr. KERSHAW presented the claim of Thomas J. Workman, M. D., for post mortem examination ;

Also the claim of Thomas J. Warren for public printing ;

Mr. DURANT presented the account of A. Leggette for services rendered the State ; and

Mr. WEATHERLY presented the account of J. W. Henegan, Sheriff of Marlboro', for blankets furnished the Jail ; which were severally referred to the Committee on Claims.

Mr. FOX presented the petition of sundry citizens of Lexington Village and vicinity, praying that said village may not be incorporated ; which was referred to the Committee on Incorporations.

Mr. MULLINS presented the report of the Solicitor of the Eastern Circuit on District Officers and Offices for 1853 ; which was referred to the Committee on the Judiciary.

Mr. MAYBIN presented the petition of the Officers of the 23d Regiment South Carolina Militia, praying the grant from the State of two vacant squares of land in the town of Columbia for a parade ground ; which was referred to the Committee on the Military.

Mr. RICE presented the claim of B. A. McKnight, proprietor of the Unionville Journal, for Public Printing; which was referred to the Committee on Claims.

Mr. SPRINGS presented the petition of sundry citizens of York District, praying a change of the place of holding elections from Haigler's Hill to Fort Mills; which was referred to the Committee on Privileges and Elections.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. B. J. JOHNSON in the Chair, and proceeded to the consideration of sundry Bills prescribing the manner in which elections for President and Vice President shall be elected, submitted by Messrs. POPPENHEIM, KEITT, TILLINGHAST, KERSHAW and McCRADY, which had been made the special order of the day for this day, at 1 o'clock, P. M., in Committee of the Whole House, and after some time spent in the discussion thereof,

The SPEAKER resumed the Chair, and called for Reports of Standing and Special Committees.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom had been referred

A Bill to confer banking privileges on the stockholders of the Spartanburgh and Union Rail Road Company; and

A Bill to amend an Act entitled An Act to amend the Charter of the Newberry Bank made reports and reported

A Bill to authorize the Bank of Newberry to increase its capital; which was read the first time, and with the reports, was ordered for consideration to-morrow.

Mr. HUNT, from the Committee on the Judiciary, to whom were referred

A Bill to exempt certain property from sale by Sheriffs and from being inventoried and sold by executors and administrators; and

A Bill to make malicious trespasses indictable, whether on real or personal property, made reports; which were severally ordered for consideration to-morrow.

Mr. B. F. PERRY, from the same Committee, to whom had been referred

A Bill to amend the law in relation to attesting Wills: and

The petition of William Gregg and James Jones, made reports and reported

A Bill to regulate the navigation of Horse Creek in Edgefield District; which was read the first time, and with the reports was ordered for consideration to-morrow.

Mr. HUTSON, from the same Committee, made reports on the petition of Julius L. Barlett;

On the petition of James Campbell; and

On a Bill from the Senate to confer on Mark and Isaac Iseman certain rights and privileges in relation to a piece of land by them purchased; and

On a Bill from the Senate to vest the right and title of the State in and to a certain lot of land in the town of Darlington in Joseph Frank; which were severally ordered for consideration to-morrow.

Mr. MITCHELL, from the same Committee, to whom had been referred

A Bill to amend an Act entitled An Act relating to the Survey of the Coast of South Carolina under the authority of the United States; and

A Bill from the Senate to alter the law in relation to the duties of ordinaries in taking administrators' bonds, made reports; which were severally ordered for consideration to-morrow.

Mr. BOYLSTON, from the same Committee, to whom had been referred

A Bill to alter the system of Pleadings in Courts of Law, made a report; which was ordered for consideration to-morrow.

Mr. GARLINGTON, from the same Committee, to whom was referred

A Bill from the Senate to amend the law in relation to Sheriffs, made a report; which was ordered for consideration to-morrow.

On motion of Mr. SEIGLING, the House proceeded to the consideration of a Bill to provide for the Establishment of a General System of Registration of births, deaths and marriages, in this State, which had been made the special order of the day for this day at 1 o'clock, P. M.; and

On motion of Mr. SEIGLING, the special order was discharged, and the said Bill was made the special order for Monday, 12th inst., at 1 o'clock, P. M.

Mr. B. J. JOHNSON, from the Committee of the Whole House, to whom had been referred sundry Bills, providing for the election of Electors of President and Vice President of the United States, reported that the Committee had had the same under consideration, had made progress thereon and recommend to the House that the several Bills be ordered to be printed, and that the Committee ask leave to sit again to-morrow at 2 o'clock, P. M.

Mr. MURRAY, from the Committee on Internal Improvements, made reports

On the petition of sundry citizens of St. George's Parish, praying that Indian Field Creek be declared a public highway;

On the counter petition of W. S. and P. B. Martin; and

On the petition of sundry citizens of Union District in relation to the navigation of Pacolet River; which were ordered for consideration to-morrow.

Mr. ANDERSON, from the same Committee, to whom had been referred the petition of George Seaborn and the counter petition thereto, made a report and reported

A Bill to repeal an Act entitled An Act to prevent obstructions to the free passage of fish up the River Keowee and its waters; which was read the first time, and with the reports was ordered for consideration to-morrow.

Mr. ALLEN, from the same Committee, made reports

On the petition of sundry citizens of South Carolina in regard to the Santee Canal; and

On the counter memorial of citizens St. Stephen's and St. John's Parishes, in relation to the Santee Canal; which were severally ordered for consideration to-morrow.

Mr J. B. CAMPBELL, from the Committee on Claims, made reports

On the petition of Gabriel South;

On the petition of Charles Beck;

On the account of Dr. William Pettigrew;

On the account of H. Nelson Wheaton;

On the account of Dr. William F. Holmes;

On the account of Dr. Charles W. Hodges;

On the account of R. M. Stokes;

On the account of Gaillard and Aiken;

On the account of John L. McClaurin;

On the account of Samuel J. Bradley;

On the account of James McCollum;

On the account of Dr. J. L. Douglass;

On the account of J. J. Atwood;

On the account of Charleston Courier;

On the account of B. S. McGilvary;

On the account of Dr. R. J. Gilliland;

On the account of Dr. Henry Winthrop;

On the account of Dr. R. W. Gibbes;

On the account of Dr. James O. Hagood;

On the account of Dr. D. W. Lamb;

On the account of J. V. and W. H. Trimmier;

On the account of V. Little;

On the account of R. S. Bailey;

On the account of W. J. Randolph;

On the account of E. A. Bronson;

On the account of W. F. Durisoe;

On the account of the Charleston Mercury;

On the account of Gaillard and Aiken;

On the account of the Anderson Gazette;

On the account of the Newberry Sentinel ;

On the account of Lewis Jones ; and

On the account of the Charleston Courier ; which reports were severally ordered for consideration to-morrow.

The following Message was received from the Senate, was concurred in, and an answer was returned :

IN THE SENATE, Dec. 7, 1853.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Claims of your House on the accounts of Dr. S. F. Stephens and John C. Lanier, for compensation for post mortem examinations, by inserting the sum of twenty-one dollars and fifty cents, instead of twenty-two dollars and twenty five cents, as allowed by the Committee on Claims in your House.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

Mr. MCGOWAN, from the Committee on the Military, made reports

On the report of the Senate Committee on the Military and Pensions ;

On the claims of John G. Bowman ; and

On a Bill from the Senate to establish a Rifle Battalion in the Parishes of St. Philip's and St. Michael's ; which were severally ordered for consideration to-morrow.

On motion of Mr. CHARLES the presentment of the Grand Jury for Colleton District was recommitted to the Committee on Public Buildings.

Mr. KING, from the Committee on Incorporations, to whom was referred a Bill to authorize the union of the Cheraw and Anson Plank Road Company with the Anson Plank Road, made a report ; which was ordered for consideration to-morrow.

Mr. CROSSON, from the same Committee, to whom was referred a Bill to amend the Charter of the Laurens Rail Road Company, made a report ; which was ordered for consideration to-morrow.

Mr. McCRADY, from the same Committee, to whom was referred

A Bill to establish a company under the name of the Columbia Iron Manufacturing Company ;

The petition of William C. Dukes and others ;

The petition of sundry citizens of Hamburg ;

The petition of the South Carolina Building and Savings Institution ; and

The petition of the Charleston Gas Light Company, made reports and reported

A Bill to incorporate the South Carolina Building and Savings Institution ;

A Bill to amend the Charter of the Charleston Gas Light Company so as to allow such Company to increase their capital ;

A Bill to amend an Act entitled An Act to incorporate the town of Hamburg, and for other purposes, passed 19th December, 1853; and

A Bill to incorporate the Carolina Gas Company; which said Bills were severally read the first time, and with the reports were severally ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, to whom were referred

A Bill to regulate the distribution of the appropriations for the support of Free Schools in this State;

A Bill to alter and amend the Free School Laws of this State, and to appoint a Superintendent of Free Schools, and so much of the Message No. 1 of the Governor and of President Thornwell's Letter to His Excellency as relates to Common School Education, made reports and reported

A Bill to alter and amend the Free School Laws of this State; which was read the first time, and with the said Bills and report were made the special order of the day for Friday next, at 1 o'clock, P. M., and was with the reports ordered to be printed.

Mr. SULLIVAN, from the same Committee, made a report on the petition of Robert Mills; which was ordered for consideration to-morrow.

Mr. PITTS, from the Committee on District Officers and Offices, to whom had been referred

A Bill to sell the poor land of St. Bartholomew's Parish; and

The petition of the Commissioners of the Poor of Lexington District, made reports; which were severally ordered for consideration to-morrow.

Mr. DUNCAN, from the Committee on Agriculture, to whom had been referred

A Bill concerning the Inspection of Flour in Charleston, made a report; which was ordered for consideration to-morrow.

Mr. DUNCAN, from the same Committee, made a report on the petition of James B. Campbell; which was ordered to be printed, and was further ordered for consideration to-morrow.

On motion of Mr. PITTS, the Committee on District Officers and Offices was discharged from further consideration of the presentment of the Grand Jury of Lexington, Fall Term, 1853; and, on motion of Mr. PITTS, the same was ordered to *lie on the table*.

Mr. BOYKIN, from the Committee on the Legislative Library, made a report; which was ordered for consideration to-morrow.

On the resolution providing for the distribution of Tuomey's Geological Survey.

On motion of Mr. VANCE, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow at 12 o'clock, M.

On motion of Mr. BRADLEY, the House was adjourned at forty-five minutes past 3 o'clock, P. M.

## THURSDAY, DECEMBER 8, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Additional member attended.

*From St. Thomas and St. Denis.*—Mr. Laurens.

The Senate returned to this House with their concurrence Reports of the Committee on the Judiciary

On so much of the presentment of the Grand Jury of Pickens as relates to the jurisdiction of magistrates; and

On the petition of McCarter & Co. relating to McCord's Law Reports.

Reports of the Committee on Claims

On the account of Dr. H. W. DeSaussure;

On the petition of S. F. Stephens and J. C. Lanier;

On the account of Dr. B. S. Lucas;

On the account of Dr. D. M. Lafitte;

On the account of Dr. R. W. Gibbes for post mortem examination;

On the account of Dr. N. H. Johnson; and

On the account of Dr. Sydney Smith.

The Senate sent to this House for concurrence:

Report of the Committee on Roads and Buildings on the memorial of the Commissioners of Public Buildings for Chesterfield District; which was referred to the Committee on Public Buildings.

Report of the Committee on the Lunatic Asylum and Medical Accounts on the account of Dr. Edward D. Smith, for a post mortem examination: and

Report of the Committee on Claims on the petition of Charles Beck; which were severally referred to the Committee on Claims.

The Senate sent to this House the following Bills; which were read the first time:

A Bill to incorporate the South Carolina Gas Company;

A Bill to amend the charter of the Fireman's Insurance Company of Charleston; and

A Bill to revive and extend the charter of the Sumterville Academical Society; which were severally referred to the Committee on Incorporations.

A Bill to extend the time for securing the capital stock, and for organizing the Western Bank of South Carolina at Anderson;

A Bill to renew and amend the charter of the State Bank; and

A Bill to amend the charter of the Bank of the State of South Carolina; which were severally referred to the Committee of Ways and Means.



The SPEAKER laid before the House the report of the Solicitor of the Middle Circuit; which was referred to the Committee on the Judiciary.

Message No. 3 was received from his Excellency the Governor, and was read by Col. Beaufort T. Watts, his Private Secretary.

On motion of Mr. READ, it was ordered

That the Message be printed; and

That so much thereof as relates to the public works be referred to the Committee on Internal Improvements, and that the report of the Commissioner be printed;

That so much as relates to the copying and indexing the public records be referred to the Committee on Education;

That so much as relates to the memorial of Mr. Robert Mills, Architect, be referred to the Committee on the Library;

That so much as relates to the report of Major of Ordnance be referred to the Committee on the Military;

That so much as relates to the distributive share of this State from the sale of the public lands of the United States be referred to the Committee of Ways and Means; and

That a Message be sent to the Senate, proposing to that body to go into an election to fill the vacancy occasioned by the resignation of the Hon. Edward Frost, in the office of Judge of the Court of Common Pleas and General Sessions of this State, on Saturday next, at half-past 1 o'clock P. M.

The SPEAKER then called, in alphabetical order, the several Judicial Districts for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers.

Mr. TORRE presented the petition of the President and Directors of the Florida Steam Packet Company, praying an amendment to their charter; which was referred to the Committee on Incorporations.

Mr. SINKLER presented the return of the Commissioners of Free Schools for St. John's, Berkley; which was referred to the Committee on Education.

Mr. KING presented the return of the Commissioners appointed under an Act to appoint Commissioners to ascertain and define the proper dimensions of the streets of the Town of Moultrieville, and to remove all obstructions in such streets, passed on the 16th December, 1852; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MIDDLETON presented the petition of the Town Council of Georgetown, praying for an amendment of charter; which was referred to the Committee on Incorporations.

Mr. B. F. PERRY presented the petition of Benjamin Perry, Secretary of State; which was referred to the Committee on Claims;

Also the petition of J. C. Gower and L. B. Cline, praying the Incorpora-

tion of the Presbyterian Church in Greenville Village ; which was referred to the Committee on Incorporations.

Mr. DUNCAN presented the petition of Drs. Turpin and Jones for medical services rendered ; which was referred to the Medical Committee.

Also, the account of Bryan & McCarter with the Legislative Library ; which was referred to the Committee on Claims.

Mr. SULLIVAN presented the report of the Laurens Rail Road Company ; which was referred to the Committee of Ways and Means.

Mr. MULLINS presented the account of Dr. A. W. Bethea for post mortem examination.

Mr. RICE presented the claim of Isaac G. McKissick, (Clerk,) on account of money paid by him for public printing ; which were severally referred to the Committee on Claims.

Mr. GARLINGTON presented the petition of the Commissioners of Public Buildings for Newberry District, praying an appropriation for Jail ; which was referred to the Committee on Public Buildings.

The SPEAKER then called for reports of Committees.

Mr. SLOAN, from the Committee on Privileges and Elections, made a report on the protest of S. S. Tompkins against the return of the Managers of Elections of Edgefield District in favor of Mr. J. C. Allen, which,

On motion of Mr. OWENS, was ordered for consideration immediately and was agreed to.

The following message was received from the Senate :

IN THE SENATE, Dec. 8, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate concurs in the proposal of your House to go into a joint ballot on Saturday next at 1½ o'clock, P. M., for a Law Judge to supply the vacancy occasioned by the resignation of the Honorable Edward Frost.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following Message was received from the Senate, was concurred in, and an answer returned.

IN THE SENATE, December 8, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate respectfully informs your House that they have appointed Messrs. Ingram, Mazyck, Evins, Dudley and McAliley, a Committee to nominate suitable persons for President and Directors of the Bank of the State of

South Carolina, and respectfully requests your House to appoint a similar Committee to act jointly with them.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following Messages were received from the Senate, and on motion of Mr. B. J. JOHNSON, were ordered to *lie on the table*.

IN THE SENATE, December 8, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate proposes to your House to go into an election for Commissioner in Equity for Chester District on Saturday next, immediately after the election of Law Judge; and immediately thereafter, into an election for Adjutant and Inspector General.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

IN THE SENATE, December 8, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate proposes to your House to go into an election for Trustees of the South Carolina College on Tuesday next, at 1 o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

The House then proceeded to the consideration of certain resolutions, introduced by Mr. Owens on Monday last, concerning a Monument to the Hon. John C. Calhoun, which had been made the special order of the day for this day at 1 o'clock, P. M.

Mr. MIDDLETON moved to amend the resolutions by striking out all after the word resolved, and inserting

1. That this General Assembly, highly esteeming the private virtue, the patriotic integrity, the great, faithful and long continued services of the late John C. Calhoun, will appoint a Commission to consist of two members from the Senate and three members of the House, whose duty it shall be to engage one of the best sculptors in the United States or in Europe, to execute a statue of marble or bronze of our late eminent statesman, which, when finished, shall be placed in the central apartment of the new State House new building.

2. That in order to enable the said Commission to form a contract for the

above object, the sum of \$10,000 be appropriated and held in the Treasury subject to their draft. And the said Commission shall report their proceedings and the progress of the work to the General Assembly at its next session.

And the question being put, will the House agree to the amendment? it was decided in the negative.

Mr. JORDAN moved to amend by striking out all but the last resolution.

On motion of Mr. A. G. CAMPBELL, the resolutions and amendment were ordered to *lie on the table*.

The yeas and nays were called for, and are as follows :

Yeas, 60—Nays, 49.

Those who voted in the affirmative, are

Messrs. Alexander,

Anderson,

Bates,

Beaty,

Blakeney,

Bradley,

Brown,

Broyles,

Burnet,

Butler,

A. G. Campbell,

J. B. Campbell,

R. E. Campbell,

Carwile,

Cash,

Charles,

Clawson,

Cooner,

Crosson,

Cureton,

Duncan,

Ellis,

Ervin,

Felder,

Fox,

Garlington,

Green,

Hammond,

Hope,

Hudgens,

Hunt,

Messrs. Hutson,

Ingram,

Lesesne,

McBee,

McCrary,

McKnight,

Manigault,

Maxwell,

Maybin,

Middleton,

Mobley,

Morgan,

Mullins,

Munro,

Murray,

B. F. Perry,

Pickens,

Pitts,

Poppenheim,

Read,

Rosborough,

Springs,

Steele,

Sullivan,

Tucker,

Wallace,

Weatherly,

Winsmith, and

Witherspoon.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker,

Messrs. Blum,

Boykin,

Boylston,

Byrd,

Christie,

Cruikshank,

Dantzler,

Durant,

Flagg,

Gadberry,

Gourdin,

Harrison,

Haskell,

Hearst,

Howell,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Jordan,

Kershaw,

King,

Lanneau,

Laurens,

Lawton,

Messrs. Leitner,

McGowan,

Melton,

Mitchell,

Moorer,

O'Bryan,

Owens,

Patterson,

J. B. Perry,

Porcher,

Reynolds,

Rice,

Seabrook,

Seigling,

Shedd,

Stokes,

Tillinghast,

Torre,

Tradewell,

Trenholm,

Trotti,

Vance,

Walker, and

Wescoat.

The SPEAKER announced the following gentlemen to constitute the Committee to act with the Committee appointed on the part of the Senate to nominate President and Directors of the Bank of the State of South Carolina.

Messrs. R. L. Tillinghast, Edgar W. Charles, T. M. Wagner, C. P. Sullivan, E. C. Leitner, and C. T. Howell.

The SPEAKER laid before the House the following communication ; and

On motion of Mr. HUTSON, it was ordered that the thanks of the House be returned to Thomas C. Perrin, Esq., for his polite invitation.

OFFICE GREENVILLE & COLUMBIA RAIL ROAD CO. }  
Columbia, Dec. 8, 1853. }

Hon. James Simons,

*Speaker of the House of Representatives :*

SIR—I have the pleasure to inform you that the Greenville and Columbia Rail Road is finished, and invite you and the members of the body over

which you preside to take a ride on the Road to Greenville on Tuesday next, and to return the day after.

I have the honor to be, very respectfully,

Your obedient servant,

THOS. C. PERRIN, President.

Mr. BLAKENEY, from the Committee appointed to count the votes cast on the ballot for Solicitor of the Eastern Circuit, reported that Mr. McIver had received a majority ;

Whereupon the SPEAKER announced that Henry McIver, Esq., was duly elected Solicitor of the Eastern Circuit.

On motion it was ordered that when the House adjourns, it shall be adjourned to meet to-morrow at 12 o'clock M.

#### SPECIAL ORDER.

The House then proceeded to the consideration of sundry Bills prescribing the manner in which Electors of President and Vice President of the United States shall hereafter be chosen ; introduced by Messrs. Tillinghast, McCrady, Keitt, Poppenheim and Kershaw ;

On motion of Mr. DANTZLER, the special order was discharged, and the said Bills were made the special order of the day for Friday next, 9th inst., at 1 o'clock P. M.

On motion of Mr. CASH, the House was adjourned at thirty-five minutes past 3 o'clock P. M.

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#### FRIDAY, DECEMBER 9, 1853.

At the hour to which the House was adjourned the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate returned to this House, with their concurrence, the report of the Committee on Claims on the account of Thomas Boone.

The Senate sent to this House for concurrence, the report of the Committee on Roads and Buildings, on the presentment of the Grand Jury of Darlington District, and the petition of the Commissioners of Public Buildings of the same in reference to their Court House ; which was referred to the Committee on Public Buildings.

Report of the Committee on Claims on the account of Joseph Lawton & Co., for blankets furnished the Jail in Charleston ; which was referred to the Committee on Claims.

Reports of the Committee on Finance and Banks,

On the petition of G. Henry Guerard, executor of the estate of Edward R. Lowndes, to be relieved from the payment of a double tax.

On the petition of Jephtha Dyson, to direct the Bank of the State of South Carolina to pay a debt due petitioner; and

On the petition of William Brisbane, to be refunded a double tax; which were severally referred to the Committee of Ways and Means.

The Senate sent to this House the following Bills; which were read the first time;

A Bill to give the Town Council of Yorkville the power to issue the bonds of the corporation, and for other purposes;

A Bill to amend an Act entitled "An Act to incorporate the new Charleston Water Company," and to transfer the powers thereby granted to the City Council of Charleston; and

A Bill to incorporate the Branchville and Savannah Rail Road Company; which were severally referred to the Committee on Incorporations.

A Bill to recharter the Bank of Camden, South Carolina;

A Bill to renew the charter of the Bank of South Carolina; and

A Bill to recharter the Merchants' Bank of South Carolina at Cheraw; which were severally referred to the Committee of Ways and Means.

A Bill to alter and amend an Act entitled "An Act to raise an independent battalion of militia, and for other purposes;" which was referred to the Committee on the Military.

A Bill to amend an Act entitled "An Act to provide for keeping open the navigation of Horse Creek, in Edgefield District;" which was referred to the Committee on Internal Improvements.

The Senate sent to this House for concurrence the following resolution; which was ordered for consideration to-morrow:

*Resolved*, That this General Assembly will adjourn *sine die* on Tuesday, the 20th day of December instant, at 2 o'clock P. M.

The following Message was received from the Senate, was concurred in, and an answer returned:

IN THE SENATE, December 8, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully informs your House that they have appointed Messrs. Townsend, Barker, Drayton, Porter and Zimmerman a Committee to nominate suitable persons to fill the Board of Trustees of the South Carolina College, and requests your House to appoint a similar Committee to act jointly with the Committee appointed by the Senate.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate sent to this House the following Message, which was concurred in, and an answer returned :

IN THE SENATE, December 9, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives:*

Senate proposes to your House to go into a joint ballot for Comptroller General, to-day at two o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The SPEAKER called, in alphabetical order of Judicial Districts, for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers.

Mr. BROYLES presented the petition of sundry citizens of Anderson District, praying the discontinuance of a new road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. LESESNE presented the petition of R. W. Gibbes, praying subscription on the part of the State to his Historical Documents ; which was referred to the Committee on Education.

Mr. REYNOLDS presented the memorial of merchants and other citizens, asking for the recharter of the Bank of Charleston with its present capital ; which was referred to the Committee of Ways and Means.

Also the petition of the City Council of Charleston, for a new jail for Charleston District ; which was referred to the Committee on Public Buildings.

Mr. BLAKENEY presented the account of Dr. A. Myers, for post mortem examination ; which was referred to the Committee on Claims.

Mr. CASH presented the petition of T. E. B. Pegues against the extension of the corporate limits of the town of Cheraw ; which was referred to the Committee on Incorporations.

Mr. MUNRO presented the petition of Dr. M. G. Hart, praying compensation for post mortem examination ;

Also the returns of the Commissioners of Free Schools for Horry District ; which was referred to the Committee on Education.

Mr. FOX presented the petition of sundry citizens of Lexington District, praying the establishment of a new place of election ; which was referred to the Committee on Privileges and Elections.

Mr. GREEN presented the report of the President of the Wilmington and Manchester Rail Road Company ; which was referred to the Committee of Ways and Means.

Mr. MAYBIN presented the account of A. Palmer ;



Mr. WITHERSPOON presented the account of Black River Watchman for public printing; and

Mr. TUCKER presented the petition of J. R. Poole, Sheriff of Spartanburg District, praying to be refunded certain moneys expended by him as Sheriff; which were severally referred to the Committee on Claims.

The SPEAKER then called for reports of Committees, resuming the call at the Committee on Privileges and Elections.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the annual report of the President and Directors of the Cheraw and Darlington Rail Road Company;

On a Bill to amend the charter of the Greenville and Columbia Rail Road Company, and for other purposes; which were severally ordered for consideration to-morrow.

Mr. HUTSON, from the Committee on the Judiciary, made report on a Bill from the Senate to declare and amend the law in relation to wills, deeds and other instruments in writing; which was ordered for consideration to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, made a report on the petition of sundry citizens of Edgefield District, praying that the laws in relation to the navigation of Horse Creek be not repealed; which was ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the recommitted report of the same Committee;

On the presentment of the Grand Jury of Colleton;

On the petition of the Commissioners of Public Buildings for Lancaster District; and

On the presentment of the Grand Jury of Charleston District, Fall Term, 1853.

Mr. HOPE, from the same Committee, made a report

On the memorial of the Commissioners of Public Buildings of Georgetown District.

Mr. McKNIGHT, from the same Committee, made a report on the petition of the Commissioners of Public Buildings for Williamsburg District; which said reports were severally ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, to whom were referred

A Bill to charter the Charleston and Savannah Rail Road Company;

A Bill from the Senate to charter the Charleston and Savannah Rail Road Company;

A Bill to authorise the formation of the Columbia and Hamburg Rail Road Company;

A Bill from the Senate to incorporate the South Carolina Building and Savings Institution ;

A Bill from the Senate to authorise the Spartanburg and Union Rail Road Company to extend their road from some point at or near Spartanburg C. H. to some point on the North Carolina line in the direction of Asheville or Rutherford ;

A Bill from the Senate to amend the charter of the Fireman's Insurance Company of Charleston ;

A Bill to incorporate the Branchville and Savannah Rail Road Company, made reports ; which were severally ordered for consideration to-morrow.

Mr. McCRADY, from the same Committee, made reports

On the petition of sundry citizens of Orangeburg District, praying that they be established into a company for clearing and improving the navigation of Good Land Swamp ;

On the petition of sundry citizens of the town of Spartanburg, praying an amendment of the charter of that town ; which were severally ordered for consideration to-morrow.

Mr. McCRADY, from the same Committee, to whom were referred

The memorial of the Santee Canal Company ;

The counter memorial of sundry inhabitants near the Santee Canal ; and

The petition of Charles McBeth, made reports, and recorted

A Bill to authorise the sale or surrender of the charter of the Company for the Inland Navigation from Santee to Cooper River ; which was read the first time and with the report was ordered for consideration to-morrow.

Mr. MELTON, from the same Committee, made reports

On the petition of J. J. O'Connell and others ;

On a Bill from the Senate to revive and extend the charter of the Sumterville Academical Society ;

On a Bill from the Senate to amend an Act entitled An Act to charter the Lancaster Rail Road Company, passed on the 16th day of December, A. D. 1852 ; which were severally ordered for consideration to-morrow.

Mr. MELTON, from the same Committee, to whom was referred

The petition of the President and Directors of the Florida Steam Packet Company, made a report and reported

A Bill to amend an Act to incorporate the Florida Steam Packet Company ; which was read the first time, and was with the report ordered for consideration to-morrow.

Mr. J. B. PERRY, from the same Committee, to whom was referred

A Bill from the Senate to incorporate the South Carolina Gas Company, made a report ; which was ordered for consideration to-morrow.

Mr. WALLACE, from the Committee on Pensions, made a report on

the petition of Theophilus Wilson; which was ordered for consideration to-morrow.

Mr. BRADLEY, from the Medical Committee, made a report on the memorial of the Faculty of the Medical College of South Carolina; which was ordered for consideration to-morrow.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, made a report concerning the offices of Adjutant and Inspector-General and of Trustees of the South Carolina College; which was ordered to *lie on the table*.

The SPEAKER announced the following gentlemen to constitute a Committee on the part of this House to meet the Committee appointed by the Senate to nominate suitable persons as Trustees of the South Carolina College: Messrs. B. F. Perry, B. H. Rice, Nelson Mitchell, R. B. Boylston, A. H. Boykin, A. C. Garlington, S. McGowan, S. W. Trotti and Gabriel Manigault.

Mr. POPPENHEIM, from the Special Joint Committee appointed to inspect the Bank of the State of South Carolina at Charleston, made a report, which was ordered to be printed, and was further ordered to *lie on the table*.

Mr. REYNOLDS, from the Charleston Delegation, made a report on a Bill to establish the line of the Channel of Ashley River; which was ordered for consideration to-morrow.

Mr. MITCHELL, from the Judiciary Committee, asked and obtained leave to make a report on a Bill to enlarge the jurisdiction of the City Court of Charleston, and to provide for the better administration of justice therein; which was ordered for consideration to-morrow.

The SPEAKER then called for resolutions, bills and motions in the alphabetical order of Judicial Districts, resuming the call at Fairfield.

On motion of Mr. MIDDLETON, the report of the Special Joint Committee appointed to inspect the Branch Bank of the State of South Carolina at Camden was *taken up*; and

On motion of Mr. MIDDLETON the said report was referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. B. F. PERRY introduced a Bill to alter the sittings of the Courts of Law on the Western Circuit; which was read the first time, and was referred to the Committee on the Judiciary.

#### SPECIAL ORDER.

On motion of Mr. OWENS the House proceeded to the consideration of A Bill to establish Boards of Direction for Common Schools, and for other purposes.

A Bill to regulate the distribution of the appropriations for the support of Free Schools.

A Bill to alter and amend the Free School Laws in this State and appoint a Superintendent of Free Schools.

A Bill to alter and amend the Free School Laws of this State ; and

Report of the Committee on Education, on so much of the Governor's Message, No. 1, and of President Thornwell's Letter to his Excellency, as relates to Common School Education ; which said Bills and Report had been made the special order of the day for this day at 1 o'clock, P. M.

Mr. TORRE, in order that this subject may be submitted to the people of the State before any action had by the Legislature, moved that the consideration of all the aforesaid bills, and of the report be indefinitely postponed.

And the question being put, will the House agree thereto ? It was decided in the negative.

Ayes, 45—Nays, 54.

The Ayes and Nays were called for, and are as follows :

Those who voted in the affirmative, are

Messrs. Bates,  
Beaty,  
A. G. Campbell,  
Cash,  
Christie,  
Cruikshank,  
Dantzler,  
Elliott,  
Felder,  
Flagg,  
Gadberry,  
Hammond,  
W. R. Johnson,  
A. R. Johnston,  
King,  
Laurens,  
Leitner,  
Lesesne,  
McCrady,  
Manigault,  
Melton,  
Middleton,  
Mitchell,

Messrs. Moorcr,  
Mullins,  
Murray,  
O'Bryan,  
Owens,  
Patterson,  
B. F. Perry,  
Pitts,  
Poppenheim,  
Read,  
Rice,  
Seabrook,  
Sinkler,  
Thornwell,  
Tillinghast,  
Torre,  
Tradewell,  
Tucker,  
Wagner,  
Weatherly,  
Wescoat, and  
Winsmith.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Allen,	Messrs. Hudgens,
Anderson,	Hutson,
Ashmore,	Ingram,
Blakeney,	B. J. Johnson,
Boykin,	Jordan,
Bradley,	Lanneau,
Brown,	Lawton,
Broyles,	McBee,
Burnet,	McGowan,
Butler,	Maxwell,
Byrd,	Maybin,
J. B. Campbell,	Mobley,
R. E. Campbell,	Morgan,
Carwile,	Munro,
Clarke,	J. B. Perry,
Clawson,	Pickens,
Cooner,	Reynolds,
Cureton,	Rosborough,
Duncan,	Sloan,
Durant,	Springs,
Fox,	Steele,
Garlington,	Stokes,
Green,	Sullivan,
Harrison,	Vance,
Haskell,	Wallace, and
Hearst,	Witherspoon.
Hope,	

On motion of Mr. SULLIVAN, it was ordered that the special order be discharged, and that the said bills and report be made the special order of the day for Monday next 12th instant, at 1 o'clock, P. M.

The Speaker resumed the call.

Mr. BOYKIN gave notice that he will ask leave to-morrow to introduce a Bill to provide for the expulsion of Free Negroes from this State, upon a second conviction of trading with a slave, and for other purposes.

Mr. CURETON obtained leave to withdraw from the files of the House, the petition of Lewis Croxton.

Mr. HOPE obtained leave to withdraw from the files of the House the account of W. J. Randolph.

Pursuant to notice and by leave of the House, Mr. HOPE introduced a

Bill to incorporate the Town of Lexington; which was read the first time, and was referred to the Committee on Incorporations.

The Senate attended, and joined the House in the first ballot for Comptroller General.

### SPECIAL ORDER.

On motion of Mr. TILLINGHAST, the House then resolved itself into a Committee of the Whole House, and proceeded to the consideration of sundry Bills, prescribing the manner in which Electors of President and Vice-President of the United States shall hereafter be chosen, introduced by Messrs. Keitt, Poppenheim, McCrady, Tillinghast, and Kershaw; which had been made the special order of the day for this day at 1 o'clock, P. M., and after some time spent in the discussion thereof,

The SPEAKER resumed the chair, when the following Message was received from the Senate; was concurred in, and an answer returned:

IN THE SENATE, Dec. 9, 1853.

*Mr. Speaker and Gentlemen  
of the House of Representatives:*

Senate proposes to your House to go forthwith into another ballot for Comptroller General.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. BOYLSTON, from the Committee appointed to count the votes cast on the first ballot for Comptroller General, reported that no candidate had received a majority, and that consequently there was no election.

The SPEAKER resumed the call.

Mr. MULLINS introduced the following Resolution; which was ordered for consideration to-morrow.

*Resolved*, That on Monday next, and thereafter throughout the session, the House will take a recess from 3 o'clock to 7 o'clock, P. M.

On motion of Mr. OWENS, it was ordered that the report of the Committee on Privileges and Elections on the contested election from Edgely, and the return of Mr. John C. Allen as a member of this House, be printed.

Mr. OWENS obtained leave to withdraw the petition of A. Bronson from the files of this House.

Pursuant to notice and by leave of the House, Mr. MITCHELL introduced a Bill to amend the Constitution of this State in relation to the manner of voting in the election of officers chosen by the two branches of the

General Assembly ; which was read the first time and was referred to the Committee on the Judiciary.

Mr. CRUIKSHANK gave notice that he will ask leave to-morrow to introduce a Bill authorizing the admission of Light Infantry or Rifle Corps into the Seventeenth Regiment of Infantry.

The Senate attended and joined with the House in a second Ballot for Comptroller General.

Mr. B. J. JOHNSON, from the Committee of the Whole House, to whom were referred sundry Bills, prescribing the manner in which Electors of President and Vice President of the United States by this State ; reported that they had the same under consideration ; had made progress therein, and asked leave to sit again on Monday, the 12th inst., at 1 o'clock, P. M.

On motion of Mr. B. J. JOHNSON, leave was granted to the Committee to sit again on Monday, at 1 o'clock, P. M.

On motion of Mr. BOYLSTON, leave of absence was granted to Mr. Shedd, on account of the dangerous illness of a member of his family.

On motion of Mr. SULLIVAN, it was ordered that the Committee of Ways and Means be instructed to inquire and report as to the expediency of the Comptroller General being authorised to transfer immediately to the Laurens Rail Road Company Sixteen Thousand Dollars of the stock owned by the State in the South Carolina Rail Road Company, being the last instalment of the State's subscription to the capital stock of the Laurens Rail Road Company.

On motion of Mr. TUCKER, it was ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M. to-morrow.

On motion of Mr. HUTSON. the House was adjourned at fifty-four minutes after three o'clock, P. M.

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SATURDAY, DECEMBER 10, 1853.

At the hour to which the House was adjourned the Clerk called the Roll, when the Speaker took the Chair, and the Journal of yesterday's proceedings was read.

The SPEAKER laid before the House the Private Annual Report of the President of the Bank of the State of South Carolina ; which was ordered to *lie on the table*.

Also the Report of the Solicitor of the Southern Circuit on District Officers and Offices ; which was referred to the Committee on District Officers and Offices.

The Report of the Solicitor of the Northern Circuit ; which was referred to the Committee on District Officers and Offices.

The Senate sent to this House a Bill to define the rights, powers and privileges of incorporated Banks, and the regulations, restrictions and conditions to which they shall be subject ; which was read the first time and was referred to the Committee of Ways and Means.

Mr. TILLINGHAST presented the account of William Youmans for blankets furnished the Jail of Beaufort ; which was referred to the Committee on Claims.

Mr. CHARLES presented the account of Dr. T. A. Dargan for post mortem examination ;

The account of J. DeLorme for public printing ; which were severally referred to the Committee on Claims.

Mr. READ presented the petition of the Commissioners of Roads to establish the old Township road as a public road ;

Also, the memorial of the Commissioners of Roads in Winyah, asking for authority to let out on contract a certain road in said District ;

Also the petition of sundry citizens of Winyah, praying for authority to close a certain road and to open another in said District ; which were severally referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. BOYKIN, leave of absence was granted to Mr. Kershaw until Monday next.

On motion of Mr. TORRE, leave of absence was granted to the member from St. Thomas and St. Dennis for the remainder of the session.

On motion of Mr. DANTZLER, leave of absence was granted to Mr. Felder on Monday and Tuesday next.

Mr. CLAWSON presented the petition of Daniel Williams, late Sheriff of York District, to be refunded the amount of certain tax executions with which he has been charged by the Treasurer ; which was referred to the Committee of Ways and Means.

Mr. W. R. JOHNSON presented the petition of the Commissioners of Roads for Marion District, praying the appointment of two additional Commissioners on the West side of the Pee Dee River, so as to increase the number from eight to ten ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. GADBERRY presented the claim of William Huff for extra compensation for carrying a prisoner to and from jail to trial ; which was referred to the Committee on Claims.

Mr. MIDDLETON, from the Committee of Ways and Means, made a report on resolution instructing them to inquire as to a fund for deepening the entrance to Charleston Harbor ; which was ordered for consideration on Monday.



Mr. SULLIVAN, from the same Committee, to whom was referred a Bill to amend an Act entitled "An Act to authorise the formation of the Savannah River Valley Rail Road Company" and for other purposes, made a report; which was ordered for consideration on Monday.

Mr. TRENHOLM, from the same Committee, to whom was referred a resolution instructing them to inquire as to the expediency of authorising the Comptroller to transfer \$16,000 of the stock owned by the State in the South Carolina Rail Road Company to the Laurens Rail Road Company, made a report and reported

A Bill to authorize the Comptroller General to transfer sixteen thousand dollars of the stock owned by the State in the South Carolina Rail Road Company, and the South-Western Rail Road Bank, to the Laurens Rail Road Company; which was read the first time, and with the Report was ordered for consideration on Monday.

Mr. MITCHELL, from the Committee on Federal Relations, to whom was referred a Bill to cede the jurisdiction of this State to the United States over certain parcels of land, as sites for Light Houses and Beacons, made a report; which was ordered for consideration on Monday.

Mr. VANCE, from the Committee on Internal Improvements, to whom had been referred a Bill from the Senate to amend an Act entitled "An Act to provide for keeping open the navigation of Horse Creek, in Edgefield District," made a report; which was ordered for consideration on Monday.

Mr. MCGOWAN, from the Committee on the Military, to whom had been referred a Bill from Senate to alter and amend an Act entitled an Act to raise an Independent Battalion of Militia, and for other purposes; and the petition of the members of the James Island Boat Companies, praying to be attached to the Eighteenth Regiment, made reports, and reported

A Bill to alter and amend an Act entitled an Act to raise an Independent Battalion of Militia, and for other purposes; which was read the first time, and was, with the reports, ordered for consideration on Monday.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, reported

A Bill to establish certain Roads, Bridges and Ferries, and to renew certain charters heretofore granted; which was read the first time, and was ordered for a second reading on Monday.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the Report of the Senate's Committee on the presentment of the Grand Jury of Darlington; and

On the presentment of the Grand Jury of Darlington; which were severally ordered for consideration on Monday.

Mr. McCRADY, from the Committee on Incorporations, to whom had been referred

A Bill to Incorporate the Town of Lexington;

A Bill to amend an Act entitled "An Act to incorporate the new Charleston Water Company, and to transfer the powers thereby granted to the City Council of Charleston;"

The petition of the Town Council of Summerville for amendment of charter; and

The petition of sundry citizens of Ninety-Six, praying an Act of Incorporation; and

The counter petition thereto, made reports; which were severally ordered for consideration on Monday.

Mr. J. B. PERRY, from the same committee, to whom had been referred a Bill to alter and amend an Act, entitled, An Act to incorporate certain Societies and Companies, and to revive and amend certain Charters heretofore granted, passed 20th day of December, 1850, made a report; which was ordered for consideration on Monday.

Mr. CLAWSON, from the Committee on Grievances, made a report on the petition of the Town Council of Beaufort, praying the removal of obstructions in the streets of the said town; which was ordered for consideration on Monday.

Mr. THOMSON, from the Committee on the Lunatic Asylum, made a report on so much of Message No. 1 of the Governor, as relates to the Lunatic Asylum; which was ordered for consideration on Monday.

Mr. WALLACE, from the Committee on Pensions, made reports

On the petition of Milly Ward; and

On the petition of Mary Brooks; which were severally ordered for consideration on Monday.

Mr. REYNOLDS, from the Charleston Delegation, to whom had been referred the petition of the stockholders in the line of steamships trading between Charleston and New York, made a report, and reported

A Bill to alter and amend the eighth section of an Act entitled "An Act to prevent the citizens of New York from carrying slaves or persons held to service out of this State, and to prevent the escape of persons charged with the commission of any crime;" which was read the first time, and was, with the report, ordered for consideration on Monday.

The Senate attended and joined with the House in a ballot for Law Judge.

Mr. BROYLES, from the Committee appointed to count the votes cast on the second ballot for Comptroller General, reported that J. D. Ashmore had received a majority, and was therefore elected;

Whereupon the SPEAKER announced J. D. Ashmore, Esq., of Sumter District, duly elected Comptroller General of this State.

The SPEAKER then called, in alphabetical order of Judicial Districts, for resolutions, bills and motions, resuming the call at Fairfield.

On motion of Mr. MIDDLETON, the report of the Committee of Inspection of the Bank of the State of South Carolina at Charleston was *taken up*; and

On motion of Mr. MIDDLETON, the same was referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. BOYKIN introduced a Bill to provide for the expulsion of free negroes from this State on a second conviction of trading with a slave, and for other purposes; which was read the first time, and was referred to the Committee on Colored Population.

Pursuant to notice and by leave of the House, Mr. ASHMORE introduced a Bill to repeal the existing military laws of this State, except as may be hereinafter excepted; which was read the first time, and was referred to the Committee on the Military.

Mr. WALLACE introduced the following resolution; which was ordered for consideration immediately, and was agreed to:

*Resolved*, That his Excellency the Governor be authorized to procure a copy of the muster or pay rolls of the South Carolina line now in the archives of the War Department at Washington City, District of Columbia, and have it deposited in the Comptroller General's office in Columbia, South Carolina, as a matter of reference.

Mr. CLAWSON gave notice that he will ask leave on Monday to introduce a Bill to exempt Jerome B. Kerr from ordinary militia duty.

Pursuant to notice and by leave of the House, Mr. THOMSON introduced a Bill to charter the Abbeville and Washington Rail Road Company; which was read the first time, and was referred to the Committee on Incorporations.

The following message was received from the Senate, and on motion was ordered *to lie on the table*:

IN THE SENATE, Dec. 10, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate proposes to your House to go forthwith into another ballot for Law Judge.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. J. B. CAMPBELL, from the Committee appointed to count the votes cast on the first ballot for Law Judge, reported that no candidate had received a majority, and that consequently there was no election.

On motion of Mr. MULLINS, the Message of the Senate was taken up, and

On motion of Mr. MULLINS, the Message was concurred in, and an answer returned.

On motion of Mr. TILLINGHAST, the private report of the President of the Bank of the State of South Carolina was *taken up*; and

On motion of Mr. TILLINGHAST, the same was referred to the Special Committee appointed to nominate Bank Directors.

Pursuant to notice and by leave of the House, Mr. CRUIKSHANK introduced a Bill to admit light infantry and rifle corps into the seventeenth regiment; which was read the first time, and was referred to the Committee on the Military.

Mr. MITCHELL gave notice that he will ask leave to-morrow to introduce a Bill to establish a court of law in Charleston District.

The House then proceeded to the consideration of the

#### GENERAL ORDERS.

On motion of Mr. HASKELL, the resolution from the Senate, providing for the adjournment of this General Assembly on Tuesday, 20th inst., at 2 o'clock, P. M., was taken out of its order.

The Senate attended and joined the House in a second ballot for Law Judge.

The House resumed the consideration of the resolution from the Senate.

On motion of Mr. B. F. PERRY, it was ordered that a message be sent to the Senate, asking leave to amend the resolution, by striking out "2 o'clock, P. M.," and inserting "8 o'clock, P. M."

Mr. TUCKER moved that a message be sent to the Senate, asking leave to amend the resolution, by striking out "Tuesday, 20th," and inserting "Wednesday, 21st;" and the question being put, Will the House agree thereto? It was decided in the negative. Tellers were called for and the House divided. Messrs. Tucker and McGowan were appointed to count the votes, who reported 38 in the affirmative and 47 in the negative.

On motion of Mr. B. J. JOHNSON, the House departed from the General Orders; when

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, reported that the office of Commissioner in Equity for Chester District was vacant.

On motion of Mr. B. J. JOHNSON, it was ordered that a message be sent to the Senate, proposing to go forthwith into a ballot for Commissioner in Equity for Chester District.

Mr. B. F. PERRY, from the Committee on the Judiciary, made a report on a Bill to alter the sittings of the Courts of Law on the Northern Circuit; which was ordered for consideration on Monday.

Mr. WAGNER presented the Report of the Commissioners of the new State Capitol; which was referred to the Committee of Ways and Means.

Mr. ELLIOTT, from the Committee on Federal Relations, to whom was referred so much of the Message No. 1 of His Excellency the Governor as relates to the Consular Convention between the Government of the United States and the Emperor of the French, made a report, and reported

A Bill to confer on French aliens the right to hold property in this State; which was read the first time, and with the report was ordered for consideration on Monday.

On motion of Mr. McKNIGHT, it was ordered that when this House adjourns, it shall be adjourned to meet on Monday at 12 o'clock, M.

The following Message was received from the Senate:

IN THE SENATE, December 10, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives:*

Senate concurs in the proposal of your House to go forthwith into an election for Commissioner in Equity for Chester District.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate attended and joined the House in a ballot for Commissioner in Equity for Chester District.

On motion of Mr. CLARKE, the House was adjourned at fifty-four minutes after 3 o'clock, P. M.

MONDAY, DECEMBER 12, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The SPEAKER laid before the House the report of the Comptroller General on the contingent accounts of the Treasury of the Upper Division; which was referred to the Committee on Accounts.

The Senate returned to this House with their concurrence the reports of of the Committee on Claims

On the petition of W. A. McDaniel; and

On the account of R. W. Walker.

The Senate sent to this House for concurrence

Reports of the Committee on Claims and Grievances

On the petition of John H. Williams; and

On the account of W. W. Purse; which were severally referred to the Committee on Claims.

Report of the Committee on Roads and Buildings

On the petition of the Commissioners of Public Buildings for Lexington District; which was referred to the Committee on Roads, Bridges and Ferries.

The Senate sent to this House the following Bills; which were read the first time:

A Bill to vest all the right and title of the State in and to certain property in Julius L. Bartlett;

A Bill to vest the right, title and interest of the State in the real and personal property of Levi Gibson, deceased, in John J. Gibson; which were severally referred to the Committee on the Judiciary.

A Bill to incorporate the Columbia and Hamburg Rail Road Company;

A Bill to amend an Act entitled "An Act to authorize the formation of the Savannah River Valley Rail Road Company, and for other purposes;"

A Bill to authorize the union of the Cheraw and Anson Company with the Anson Plank Road Company; and

A Bill to amend an Act to incorporate the Florida Steam Packet Company; which were severally referred to the Committee on Incorporations.

A Bill to recharter the Bank of Hamburg, South Carolina; which was referred to the Committee of Ways and Means; and

A Bill concerning the inspection of flour in Charleston; which was referred to the Committee on Agriculture.

The following Message was received from the Senate:

IN THE SENATE, December 10, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate grants leave to your House to amend the resolution providing for the adjournment of the General Assembly by striking out the words "two o'clock P. M.," and by inserting "eight o'clock P. M."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The resolution thus amended was concurred in, and was ordered to be returned to the Senate.

The SPEAKER, under the amendment to the 60th Rule, called, in alphabetical order of Judicial Districts, for petitions, not of a private nature, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers.

Mr. CHARLES, from the Committee appointed to count the votes cast

on the ballot for Commissioner in Equity of Chester District, reported that Matthew Williams had received a majority;

Whereupon the SPEAKER announced that Matthew Williams, Esq., was duly elected Commissioner in Equity for Chester District.

Mr. R. E. CAMPBELL, from the Committee appointed to count the votes cast on the second ballot for Law Judge, reported that Robert Munro, Esq., had received a majority;

Whereupon the SPEAKER announced that Robert Munro, Esq., was duly elected a Judge of the Court of Common Pleas and General Sessions of this State.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the Annual Report of the President and Directors of the Bank of the State of South Carolina;

On the Annual report of the Laurens Rail Road Company;

On the account of the Town Council of Beaufort, with the transient poor fund;

On so much of Message No. 3 of the Governor as relates to the receipt and distributive share of the land fund from the United States;

On the report of the Senate Committee on the petition of Jephth Dyson; which were severally ordered for consideration to-morrow.

Mr. HUNT, from the Special Joint Committee, consisting of the Committees on the Judiciary of this House and of the Senate, to whom was referred

A Bill for the more perfect and prompt administration of justice and for other purposes, made a report and reported

A Bill to provide for the more perfect and prompt administration of justice; which was read the first time, and with the report was made the special order of the day for Wednesday next, 14th inst., at 12 o'clock, M.

Mr. MITCHELL, from the Committee on the Judiciary, to whom was referred

A Bill to amend the Constitution of the State in relation to the manner of voting in the election of officers chosen by the two branches of the General Assembly, made a report; which was ordered for consideration to-morrow.

Mr. THORNWELL, from the same Committee, to whom had been referred

A Bill to authorize the Ordinary to issue final process to enforce his decrees, and for other purposes, made a report; which was ordered for consideration to-morrow.

Mr. MCGOWAN, from the Committee on the Military, to whom had been referred

The petition of William Glaze;

A Bill to amend an Act entitled "An Act to convert the Arsenal at

Columbia and the Citadel and Magazine in and near Charleston into Military Schools, passed 20th December, 1842, and an Act to amend the same, passed 19th December, 1843;”

A Bill to admit Light Infantry and Rifle Corps into the Seventeenth Regiment of Infantry;

A Bill from the Senate to reduce the salary of the Adjutant and Inspector General of this State; and

A Bill to reduce the salaries of Adjutant and Inspector General and Major of Ordnance, and to abolish the salary of Quarter Master General; made reports; which were severally ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the report of the Senate Committee on Roads and Buildings, recommending an appropriation for Chesterfield Jail;

On the petition of the City Council of Charleston relating to the Jail;

On the petition of Commissioners of Public Buildings for Chesterfield District; which were severally ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, to whom were referred

A Bill from the Senate to give the Town Council of Yorkville the power to issue the bonds of the corporation, and for other purposes; and

A Bill from the Senate to incorporate the Branchville and Savannah Rail Road Company, made reports; which were severally ordered for consideration to-morrow.

Mr. McCRADY, from the same Committee, to whom were referred sundry petitions and counter petitions respecting the renewal and amendment of the charters of certain towns and villages heretofore incorporated; as also sundry petitions for the incorporation of certain societies, associations and companies, and to renew the charters of others; and

Also sundry petitions, praying for the incorporation of certain religious and charitable societies, and societies for the advancement of education, and to renew the charters of others heretofore granted, reported the following Bills; which were read the first time, and were ordered to be read the second time to-morrow:

A Bill to renew and amend the charters of certain towns and villages heretofore incorporated;

A Bill to incorporate certain societies, associations and companies, and to renew and amend the charters of others; and

A Bill to incorporate certain religious and charitable societies, and societies for the advancement of education, and to renew the charters of others heretofore granted.

On motion of Mr. McCRADY, leave of absence was granted to Mr. Ashmore for the remainder of the session, on account of his ill health.

On motion of Mr. BRADLEY, the House proceeded to the consideration



of a Bill for the establishment of a general system of registration of births, deaths and marriages in the State of South Carolina, which had been made the special order of the day for this day at 1 o'clock, P. M. The Bill was read the second time and was ordered to be sent to the Senate.

On motion of Mr. HEARST, the House proceeded to the consideration of sundry Bills respecting Common School Education and the Free School system of this State, as also the report of the Committee on Education on so much of the Governor's Message No. 1, and of President Thornwell's letter to His Excellency as relates to Common School Education; which had been made the special order of the day for this day at 1 o'clock P. M.

Mr. THOMSON moved that all of the said Bills, and the said report, be ordered to *lie on the table*.

And the question being put, shall the whole subject be ordered to *lie on the table*? it was decided in the negative.

The yeas and nays were called for, and are as follows:

Yeas, 49—Nays, 61.

Those who voted in the affirmative, are

Messrs. Alexander,

Bates,

Beaty,

Boykin,

Bradley,

Brown,

Broyles,

Burnet,

Butler,

A. G. Campbell,

Cash,

Christie,

Clarke,

Cooner,

Cureton,

Dantzler,

Ellis,

Ervin,

Gadberry,

Hammond,

Hope,

Hutson,

B. J. Johnson,

Jordan,

Lanneau,

Messrs. McGowan,

McKnight,

Maxwell,

Middleton,

Moorer,

Munro,

Murray,

O'Bryan,

Patterson,

B. F. Perry,

Pickens,

Pitts,

Read,

Rice,

Rosborough,

Seabrook,

Sinkler,

Sloan,

Thomson,

Tillinghast,

Tradewell,

Vance,

Wescoat, and

Winsmith.

Those who voted in the negative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Allen,  
Anderson,  
Blakeney,  
Boylston,  
Byrd,  
J. B. Campbell,  
R. B. Campbell,  
Carwile,  
Cauthen,  
Charles,  
Clawson,  
Crosson,  
Duncan,  
Durant,  
Elliott,  
Flagg,  
Fox,  
Garlington,  
Green,  
Hampton,  
Harrison,  
Haskell,  
Hearst,  
Howell,  
Hudgens,  
Ingram,  
W. R. Johnson,  
A. R. Johnston,  
Kershaw,  
King,

Messrs. Lawton,  
Leitner,  
McBee,  
McCrady,  
Manigault,  
Maybin,  
Melton,  
Mitchell,  
Mobley,  
Morgan,  
Mullins,  
Owens,  
J. B. Perry,  
Poppenheim,  
Porcher,  
Reynolds,  
Seigling,  
Springs,  
Steele,  
Stokes,  
Sullivan,  
Thornwell,  
Terre,  
Trenholm,  
Trotti,  
Tucker,  
Wagner,  
Wallace,  
Weatherly, and  
Witherspoon.

Mr. MULLINS offered the following as an amendment to "the Bill to establish Boards of Direction for Common Schools," striking out all after the enacting words and inserting,

"SEC. 1. That the Governor be, and he is hereby authorized to select, and by and with the advice and consent of the Board of Trustees of the South Carolina College, to appoint some discreet and competent person to be called 'Commissioner of Public Instruction,' whose duty it shall be to visit the several election districts of this State, and by conference with the Commissioners of Free Schools as well as by other means, obtain all the information which may be useful towards remedying the defects which may exist in the pres-

ent Free School system, or in establishing another and better system of Common Schools. And to this end, that he ascertain: First, the number of children between the ages of seven and twenty years, suitable to go to school, and of these, how many are sent to school at all; how many only irregularly, and as well as he may be able, the reasons therefor; whether from the negligence or inability of their parents, or from the sparseness of the population, or from any other cause. Second, That he ascertain the kind and degree of education needed in each neighborhood; the number and kind of teachers that may be required for elementary and how many for classical instruction. Third, That he prepare a digest of the systems of public instruction in other States. Fourth, That he report upon the practicability of dividing the State into School Districts, of such convenient sizes as to afford to each child an opportunity of attending school; and also that he furnish an estimate of the probable expense of building school houses and supplying teachers. Fifth, That it shall be his duty by lectures and addresses, on all suitable occasions, and in every part of the State, to awaken as far as possible, a general interest in the subject of popular education; and to condense and arrange in some convenient form the information which he may collect, and make his report to the Governor with such suggestions as may tend to promote the objects herein contemplated.

"SEC. 2. That a Board of Education, to consist of six members, be appointed by the Governor, who shall be *ex officio* a member of the same; which Board, together with the 'Commissioner of Public Instruction,' shall prepare a plan of public education for the people of this State, to be submitted to the Legislature at the next session.

"SEC. 3. That the Commissioner be allowed such compensation for his services, to be paid out of the contingent fund, as the Governor, in consultation with the Board of Trustees of the South Carolina College, shall deem to be suitable and just; and that the Board of Education be paid out of the same fund, their travelling expenses officially incurred."

Mr. HOPE moved that the amendment be ordered *to lie on the table*, and

The question being put, will the House agree thereto? it passed in the affirmative.

The Yeas and Nays were called for and are as follows:

Ayes, 55—Noes, 54.

Those who voted in the affirmative, were

Messrs. Alexander,  
Allen,  
Anderson,  
Bates,  
Beaty,

Messrs. Brown,  
Broyles,  
Burnet,  
Butler,  
A. G. Campbell,

Messrs. R. E. Campbell,  
 Cash,  
 Cauthen,  
 Christie,  
 Cooner,  
 Crosson,  
 Cureton,  
 Dantzler,  
 Duncan,  
 Ervin,  
 Fox,  
 Gadberry,  
 Hammond,  
 Haskell,  
 Hearst,  
 Hope,  
 Howell,  
 Hudgens,  
 Hutson,  
 Ingram,  
 Jordan,  
 Leitner,  
 McBee,

Messrs. Manigault,  
 Maxwell,  
 Maybin,  
 Melton,  
 Mobley,  
 Moorer,  
 Morgan,  
 Murray,  
 O'Bryan,  
 Pickens,  
 Pitts,  
 Rosborough,  
 Seabrook,  
 Sinkler,  
 Sloan,  
 Steele,  
 Sullivan,  
 Thomson,  
 Tillinghast,  
 Tradewell,  
 Vance, and  
 Winsmith.

Those who voted in the negative were :

Hon. JAMES SIMONS, Speaker,

Messrs. Blakeney,  
 Boykin,  
 Boylston,  
 Bradley,  
 Byrd,  
 J. B. Campbell,  
 Carwile,  
 Charles,  
 Clarke,  
 Clawson,  
 Durant,  
 Elliott,  
 Flagg,  
 Garlington,  
 Green,  
 Hampton,

Messrs. Harrison,  
 B. J. Johnson,  
 W. R. Johnson,  
 A. R. Johnston,  
 Kershaw,  
 King,  
 Lanneau,  
 Lawton,  
 McCrady,  
 McGowan,  
 McKnight,  
 Middleton,  
 Mitchell,  
 Mullins,  
 Munro,  
 Owens,

Messrs. Patterson,  
 B. F. Perry,  
 J. B. Perry,  
 Poppenheim,  
 Porcher,  
 Read,  
 Reynolds,  
 Rice,  
 Seigling,  
 Springs,  
 Stokes,

Messrs. Thorawell,  
 Torre,  
 Trenholm,  
 Trotti,  
 Tucker,  
 Wagner,  
 Wallace,  
 Weatherly,  
 Wescoat, and  
 Witherspoon.

On motion of Mr. B. F. PERRY, it was ordered that all of the said bills and the said report *lie on the table*.

On motion of Mr. B. F. PERRY, the House then proceeded to the consideration of sundry bills prescribing the manner in which Electors of President and Vice President of the United States shall hereafter be chosen, introduced by Messrs. Keitt, Tillinghast, McCrady, Kershaw and Poppenheim; which had been made the special order of the day for this day at 1 o'clock, P. M.; and

On motion of Mr. B. F. PERRY, the special order was discharged, and said Bills were made the special order of the day for to-morrow (Tuesday) 13th inst., at 1 o'clock, P. M.

Mr. POPPENHEIM gave notice that he will ask to-morrow for a suspension of the 74th Rule of this House.

Mr. TILLINGHAST, from the Special Joint Committee appointed to nominate suitable persons for President and Directors of the Bank of the State of South Carolina, asked and obtained leave to submit the following nomination:

For President: C. M. Furman.

For Directors:

Thomas Lehre,  
 W. C. Dukes,  
 E. Carson,  
 H. F. Strohecker,  
 W. A. Wardlaw,  
 Rice Dulin,

J. P. Deyeaux,  
 J. L. Gantt,  
 Geo. H. Walter,  
 J. H. Steinmeyer,  
 R. G. Stone,  
 P. M. Cohen.

The following Message was received from the Senate, and, on motion of Mr. McGOWAN, was ordered to *lie on the table*.

IN THE SENATE, December 12, 1853.

*Mr. Speaker and Gentlemen  
of the House of Representatives :*

Senate respectfully proposes to your House to go into an election for Adjutant and Inspector General to-morrow at 2 o'clock, P. M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

On motion of Mr. MCGOWAN, it was ordered that a Message be sent to the Senate, proposing to that body to go into an election for Adjutant and Inspector General to-morrow, at forty-five minutes past 12 o'clock, P. M.

On motion of Mr. DUNCAN, the use of this Hall was granted to the friends of Agriculture for this evening, at half-past 6 o'clock, P. M., for the purpose of forming a State Industrial and Agricultural Society.

On motion of Mr. TORRE, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow at 11 o'clock, A. M.

On motion of Mr. MCGOWAN, the House was adjourned at 7 minutes past 5 o'clock, P. M.

TUESDAY, DECEMBER 13, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll; when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate returned to this House

Report of the Committee of Ways and Means on the petition of Margaret Moore;

Report of the Committee on Claims on the account of Dr. L. B. Johnson.

The Senate sent to this House

The report of the Committee on Roads and Buildings on the presentment of the Grand Jury of Colleton District, recommending that a new jail be built in said District; which was referred to the Committee on Public Buildings.

Reports of the Committee on Finance and Banks

On the petition of John E. Carew to be relieved from a double tax;

On the transient poor fund of Georgetown, and the petition of the Commissioners of Poor of Georgetown District, to increase the annual appropriation;

On the account of the expenditures of the transient poor fund for the

city of Charleston ; which were severally referred to the Committee of Ways and Means.

Report of the Committee on Privileges and Elections

On the petition of sundry citizens of Lexington and Abbeville Districts, praying for the establishment of new places of election in those Districts respectively ; which was referred to the Committee on Privileges and Elections.

Reports of the Committee on the Lunatic Asylum and Medical Accounts

On the account of James B. Holmes, for a post mortem examination ;

On the account of Dr. Thomas R. Aldrich, for a post mortem examination ;

On the account of Dr. James A. Renwick, for three post mortem examinations ; which were severally referred to the Committee on Claims.

On so much of the Governor's Message as relates to the Medical College of the State of South Carolina recommending aid ; and also on the memorial of the Faculty of the Medical College of the State of South Carolina ; which was referred to the Medical Committee ; and the

Report of the Committee on the Judiciary on the communication of J. S. G. Richardson, Esq., State Reporter ; which was referred to the Committee on the Judiciary.

The Senate sent to this House the following Bills ; which were read the first time :

A Bill to incorporate the Central Bank of South Carolina ;

A Bill to authorize the Comptroller General to transfer sixteen thousand dollars of the stock owned by the State in the South Carolina Rail Road Company, and the South Western Rail Road Bank, to the Laurens Rail Road Company ; which were severally referred to the Committee of Ways and Means.

A Bill to vest the right and title of the State in and to the real estate of Peter Campbell in James Campbell ;

A Bill to provide for payment of taxed costs in certain cases in which any Rail Road Company may be a party ; which were severally referred to the Committee on the Judiciary.

A Bill to authorize the Commissioners of the Poor for Saint Bartholomew's Parish to sell certain lands, and for other purposes ; which was referred to the Committee on District Officers and Offices.

A Bill to authorize an election for Commissioners of the Poor in Saint Bartholomew's Parish ; which was referred to the Committee on Privileges and Elections.

A Bill to declare a certain description of streams navigable, and for other purposes ; which was referred to the Committee on Internal Improvements ; and

A Bill to amend an Act entitled " An Act to incorporate the South

Carolina Insurance Company;" which was referred to the Committee on Incorporations.

The SPEAKER then called in alphabetical order of Judicial Districts for petitions not of a private nature, memorials, presentments of Grand Juries, returns of commissioners, and such like papers.

Mr. BOYLSTON gave notice that he will ask leave to-morrow to introduce the following Resolution :

*Resolved*, That so much of the 60th Rule of this House, as amended, as requires the Speaker to call in alphabetical order of Judicial Districts for petitions, resolutions, bills, motions, &c., and for reports of standing committees, in the order in which they stand in the 18th Rule, be suspended for the remainder of this Session.

Pursuant to notice, and by leave of the House, Mr. POPPENHEIM introduced the following Resolution, which was ordered for consideration immediately; and was adopted, two-thirds of the members present agreeing thereto :

*Resolved*, That the seventy-fourth Rule of this House be suspended for this day.

Mr. BROYLES presented the account of J. J. Rice, of the Anderson Southern Rights Advocate, for public printing; which was referred to the Committee on Claims.

Mr. BURNET presented the memorial of the City Council of Charleston, praying a grant of power to tax the Banking Houses of the various Banks in the City of Charleston ;

Mr. POPPENHEIM presented the memorial of sundry citizens, praying that the re-charter of the Bank of Charleston may be granted, upon condition that the capital is reduced to one million of dollars, which were severally referred to the Committee of Ways and Means.

Mr. POPPENHEIM also presented the petition of the Marion Fire Engine Company, praying for a renewal of their charter.

Mr. REYNOLDS presented the petition of the Charleston Fire Company of Axemen, praying incorporation.

Mr. MURRAY presented the petition of sundry citizens of St. James' Goose Creek Parish, praying renewal of the act of incorporation of Goose Creek Baptist Church, which were severally referred to the Committee on Incorporations.

Mr. SULLIVAN presented the account of James A. Graham, praying compensation for services rendered as constable ;

Mr. MAYBIN presented the account of Smith Hoyt, which were severally referred to the Committee on Claims.

Mr. CROSSON presented the petition of the President, Directors and Stockholders of the Bank of Newberry, South Carolina, for increase of capital, which was referred to the Committee of Ways and Means



The SPEAKER then called for reports of the Committees, in the order prescribed by the 60th Rule.

Mr. Middleton, from the Committee of Ways and Means, made Reports:

On the memorial of Merchants and others, for recharter of the Bank of Charleston with its present capital.

On the petition of John E. McDonald.

On the report of the Senates committee on the petition of P. M. Bland.

On a bill from the Senate to amend the charter of the Bank of the State of South Carolina; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the same committee, to whom was referred the Comptroller's report, made a report, and reported the following Bills, which were read the first time and were ordered to be read the second time to-morrow:

A bill to raise supplies for the year commencing October, One Thousand Eight Hundred and Fifty-three; and

A bill to make appropriations for the year commencing in October, in the year One Thousand Eight Hundred and Fifty-three.

Mr. WAGNER, from the same committee, made a report on the report of the Commissioners of the new State Capitol, and reported

A bill to provide funds for the erection of the new State Capitol, which was read the first time and was made the special order for Wednesday, (to-morrow,) at  $\frac{1}{2}$  past 12 o'clock, P. M.

On motion of Mr. WAGNER, the special order for to-morrow, at 12, M., to wit: a Bill for the more prompt and perfect administration of justice, and a Bill to provide for the more prompt and perfect administration of justice, was discharged, and the said Bills were made the special order of the day for to-morrow, 14th instant, at 1 o'clock, P. M.

Mr. MITCHELL, from the Committee on the Judiciary, made a report on the petition in the matter of certain lands on Sullivan's Island, granted to David Truesdell, which was ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made a report on the presentment of the Grand Jury of Kershaw; which was ordered for consideration to-morrow.

Mr. KING, from the Committee on Incorporations, to whom had been referred

A Bill from the Senate to authorize the union of the Cheraw and Anson Plank Road Company with the Anson Plank Road Company; and

A Bill from the Senate to amend an Act to incorporate the Florida Steam Packet Company, made reports; which were severally ordered for consideration to-morrow.

The following message was received from the Senate:

IN THE SENATE, December 13, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate concurs in the proposal of your House to go into an election for Adjutant and Inspector General to-day, at fifteen minutes before one o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate attended and joined the House in a ballot for Adjutant and Inspector General.

Mr. CROSSON, from the Committee on Incorporations, to whom were referred

A Bill from the Senate, to incorporate the Columbia and Hamburg Rail Road Company;

A Bill to charter the Abbeville and Washington Rail Road Company; and

A Bill to charter a Company to construct a Rail Road from the junction of the Camden and Columbia branches of the South Carolina Rail Road, to Hamburg, South Carolina, made reports; which were severally ordered for consideration to-morrow.

Mr. McGOWAN, from the Committee on the Military, asked and obtained leave to report,

On the report of the Major of Ordnance, and

On a Bill to repeal the existing Militia Laws of this State, except as may be herein excepted, made reports; which were severally ordered for consideration to-morrow.

On motion of Mr. McCRADY, the Committee on Incorporations were discharged from the consideration of a Bill to amend an Act entitled "An Act to authorize the formation of the Savannah River Valley Rail Road Company," and for other purposes; and the said Bill, on motion of Mr. McCRADY, was referred to the Committee of Ways and Means.

Mr. J. B. PERRY, from the Committee on Incorporations, to whom had been referred a Bill to amend an Act entitled "An Act to incorporate the South Carolina Insurance Company," made a report; which was ordered for consideration to-morrow.

Mr. OWENS, from the Committee on Roads, Bridges and Ferries, made a report,

On the returns of the Commissioners appointed to ascertain and define the proper dimensions of the streets in the town of Moultrieville, and remove all obstructions in said streets; which was ordered for consideration to-morrow, 14th inst., at half-past 12 o'clock, P. M.

Mr. SULLIVAN, from the Committee on Education, made a report on the petition of R. W. Gibbes, concerning his Historical Documents; which was ordered for consideration to-morrow.

Mr. PITTS, from the Committee on District Officers and Offices, made reports,

On the report of the Solicitor of the Northern Circuit;

On the report of the Solicitor of the Southern Circuit; which were severally ordered for consideration to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, made a report on so much of the Governor's Message, No. 8, as relates to the communication of Robert Mills, Architect; which was ordered for consideration to-morrow.

Mr. B. F. PERRY, from the Special Joint Committee appointed to nominate suitable persons for Trustees of the South Carolina College, made a report, nominating the following gentlemen: W. F. DeSaussure, C. G. Memminger, R. W. Barnwell, Thos. N. Dawkins, John Buchanan, Wade Hampton, sr., J. D. Witherspoon, James Gillespie, J. L. Petigrue, Thomas Smith, J. H. Adams, B. F. Perry, James Chesnut, jr., John S. Preston, David Johnson, R. W. Gibbes, J. I. Middleton, J. H. Means, W. C. Preston, and F. J. Moses. The report was ordered to be printed, and was further ordered to lie on the table.

The Senate sent to this House the following bill, which was read the first time, and was referred to the Committee on Education:

A Bill to provide for public Education.

Mr. BURNET obtained leave to withdraw from the files of this House the memorial of the City Council of Charleston, praying an enlargement of the appropriation for the transient poor.

Mr. BURNET obtained leave to present the memorial of the City Council of Charleston, praying an enlargement of the appropriation for the transient poor; which was referred to the Committee of Ways and Means.

Mr. WAGNER, from the Committee on the State House and Grounds, obtained leave to make a report on so much of the Governor's Message No. 1, as relates to the new Capitol, which was ordered for consideration to-morrow.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. B. J. Johnson in the Chair, and proceeded to the consideration of sundry bills, prescribing the manner in which Electors for President and Vice-President shall be chosen, submitted by Messrs. McCrady, Kershaw, Keitt, Tillinghast, and Poppenheim, which had been made the special order of the day for this day at 1 o'clock, P. M., in Committee of the Whole House, and after some time spent in the discussion thereof, the Speaker took the Chair.

Mr. CLARK, from the Committee appointed to count the votes cast on the ballot for Adjutant and Inspector General, reported that R. G. M. Dunovant had received a majority.

Whereupon the SPEAKER announced that R. G. M. Dunovant was duly elected Adjutant and Inspector General.

The following message was received from the Senate, and on motion of Mr. TRADEWELL, was ordered to lie on the table.

IN THE SENATE, December 10, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives.*

Senate respectfully asks leave of your House to amend the report of the Committee on Claims of your House, on the petition of H. M. Quattlebaum, for services rendered the State, and money expended in reference to the execution of slaves, by adding to the amount allowed to the petitioner the sum of seventeen dollars, making the whole amount allowed to him twenty-nine dollars, instead of twelve, as reported by your Committee, and also to amend the report of said Committee on the account of the Charleston Mercury for public printing, by adding thereto the sum of sixteen dollars and fifty cents, and also the sum of fifty-seven dollars for printing the proclamation of the the Hon. James Simons.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. BOYLSTON gave notice that he will ask leave to-morrow to introduce a bill in relation to the Trustees of the South Carolina College.

On motion of Mr. BOYLSTON, it was ordered that a message be sent to the Senate, requesting the consent of that body to the publication, among the printed reports and resolutions of this General Assembly, of the report of the Committee on Privileges and Elections of this House on the contested election of Mr. J. O. Allen, from Edgefield.

Mr. MIDDLETON submitted the following preamble and resolutions, which were ordered to be printed, and were further ordered for consideration to-morrow.

*Whereas*, it appears from the annual Reports of the President and Directors of the Bank of the State, that the outstanding amount of notes of a less denomination than one dollar issued by the Bank and its branches has remained unchanged for several years past—none of the said notes having been brought in for redemption since the year 1851; *And whereas* no such notes have been issued since the year 1839, and none are now seen in circulation, whence it may be reasonably concluded that all that are now

outstanding, are lost or destroyed, and can never again be offered for redemption, therefore, be it

*Resolved*, that the sum of one hundred and eight thousand two hundred and eighty-nine dollars and sixty-two cents, (\$108,289,) being the amount of such small notes outstanding according to the statements of the issues of the Bank, be, and the same hereby is required to be transferred by the President and Directors of the Bank, from the account of issues to the credit of the Treasury.

2. *Whereas*, it would also appear from statements appended to the Report of the Committee appointed at the last Session of the General Assembly to examine into the condition of the principal Bank, in Charleston, that of the first issue of notes of the denomination of one dollar (\$1) none of which have been issued since 1834, and none brought to be redeemed since 1851, there are now outstanding twenty-four thousand seven hundred and ninety-four dollars (\$24,794); and that of the first issue of notes of the denomination of two dollars (\$2), none of which have been issued since 1824, and none brought in to be redeemed since 1851, the amount outstanding is ten thousand two hundred and thirty-five dollars (\$10,235); and that of the first issue of notes of the denomination of five dollars (\$5), none of which have been issued since 1822, and none presented for redemption since 1851, the amount now outstanding is eleven thousand dollars (\$11,000); and that of the first issue of bills or notes of the denomination of ten dollars (\$10) none of which have been issued since the year 1820, and none offered for redemption since 1851, the amount now outstanding is one thousand nine hundred and forty dollars (\$1,940). Be it therefore

*Resolved*, That these several amounts, making together the sum of forty-seven thousand nine hundred and sixty-nine dollars, (\$47,969,) be and they hereby are directed to be transferred, by said President and Directors, from the issue account to the credit of the Treasury.

*And be it further Resolved*, That if any of the said notes shall hereafter be offered for redemption, they shall be charged against the treasury.

Mr. B. J. JOHNSON, from the Committee of the Whole House, to whom had been committed sundry bills providing for the election of electors of President and Vice President of the United States, reported that the Committee had under consideration the matters they had in charge, had made progress therein, and asked leave to sit again at six and a half o'clock, P. M.

On motion of Mr. B. J. JOHNSON, leave was accordingly granted.

On motion of Mr. B. J. JOHNSON, business was suspended at forty minutes after 3 o'clock, P. M., until a quarter after six o'clock, P. M.

RECESS.

When the SPEAKER took the chair,  
The following Message was received from the Senate :

IN THE SENATE, December 13, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate consents to the publication, with the reports and resolutions, and Journals, of the report of the Committee of Privileges and Elections, of the House of Representatives, in the contested election from Edgefield District.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. HAMPTON introduced the following resolutions, which were referred to the Committee on the Lunatic Asylum :

*Resolved*, That the Regents of the Lunatic Asylum be authorized and directed to procure plans and estimates from competent Architects for the erection of a Hospital for the insane, within five miles of the town of Columbia.

*Resolved*, That if an eligible site, containing at least two hundred acres of land can be procured, and a Hospital of the best description completed at a cost not exceeding one hundred and fifty thousand (150,000) dollars, the Regents of the Asylum be authorized to proceed in the work, provided no appropriation of public moneys is necessary, previous to the next Session of the Legislature.

Mr. RICE introduced the following resolution, which was ordered for consideration immediately and was agreed to :

*Resolved*, That it be referred to the Committee on Roads, Bridges and Ferries, to inquire into, and report to this House, the propriety and expediency of allowing by law, Planters and Farmers to erect gates in the stead of keeping up lanes on all roads, except leading market roads, in this State.

Mr. SLOAN introduced the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the Bill to alter the Constitution of this State so as to divide Pendleton into two election Districts, be published under the direction of the Clerks of the Senate and House of Representatives in a newspaper in the town of Columbia, at least three months previous to the next election for members of the House of Representatives, and continuing the same weekly during the period of three months.

Pursuant to notice, and by leave of the House, Mr. CLAWSON introduced a Bill to exempt Jerome B. Kerr, a soldier in the Mexican war in

the Mississippi Regiment, from ordinary Military duty ; which was read the first time and was referred to the Committee on the Military.

On motion of Mr. HAMMOND, leave of absence was granted to M. L. Bonham, Esq. Solicitor of the Southern Circuit, for the remainder of the session.

The House then proceeded to the consideration of the

#### GENERAL ORDERS.

A Bill to repeal an Act entitled an Act to increase the amount of property exempt from levy and sale, was read the second time, and was ordered to be sent to the Senate.

A Bill to declare and amend the Law in relation to words of limitation in deeds and wills, was called for a second reading, and progress having been made therein ; when

#### SPECIAL ORDER.

The House resolved itself into a Committee of the Whole House, Mr. B. J. JOHNSON in the Chair, and proceeded to the consideration of sundry Bills, prescribing the manner in which electors of President and Vice President of the United States shall hereafter be chosen, submitted by Messrs. Kershaw, Poppenheim, Tillinghast, Keitt and McCrady, which had been made the special order of the day, for this day, at half past six o'clock, P. M., and after some time spent in the discussion thereof the Speaker resumed the Chair.

On motion of Mr. TUCKER it was ordered that when this House adjourns it shall be adjourned to meet to-morrow at 11 o'clock, A. M.

On motion of Mr. TUCKER, the House was adjourned at 20 minutes after 10 o'clock, P. M.

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#### WEDNESDAY, DECEMBER 14, 1853.

At the hour to which the House was adjourned the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present the Journal of yesterday was read.

The Senate sent to this House for concurrence, resolutions providing for a report from the Regents of the Lunatic Asylum, and the purchase of books for that institution, which were ordered for consideration immediately ; which

On motion of Mr. THOMSON, were ordered *to lie on the table*.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to repeal the proviso to the first section of an Act entitled an Act relating to the survey of the Coast of South Carolina, under the authority of the United States; which was referred to the Committee on the Judiciary.

A Bill to increase the powers of the Town Council of Georgetown, in certain particulars, which was referred to the Committee on Incorporations.

A Bill to authorize the formation of the Newberry and Chester Rail Road Company; which was referred to the Committee on Incorporations.

The SPEAKER called in alphabetical order of Judicial Districts, for petitions, not of a private nature, memorials, presentments of Grand Juries, returns of Commissioners and such like papers.

Pursuant to notice, and by leave of the House, Mr. BOYLSTON introduced the resolution relating to the amendments to the 60th Rule, notice of which was given yesterday.

The resolution was adopted, two thirds of the members present agreeing thereto.

On motion of Mr. TRADEWELL, the Message from the Senate, relating to the reports of the Committee on Claims, on the petition of H. M. Quattlebaum; and

On the account of the Charleston Mercury was taken up.

On motion of Mr. TRADEWELL, the House granted leave to the Senate to make the amendments proposed, and an answer was returned accordingly.

On motion of Mr. READ, leave of absence was granted to Mr. Sinkler, member for St. John's, Berkley, for the remainder of the session, on account of important business.

Mr. B. J. JOHNSON presented the return of the Commissioners of Free Schools for St. Helena, Parish for 1858; which was referred to the Committee on Education.

Mr. SLOAN, from the Committee on Privileges and Elections, made a report

On a Bill from the Senate to authorize an election for Commissioner of the Poor in St. Bartholemew's Parish; which was ordered for consideration to-morrow.

Mr. HUTSON, from the Committee on the Judiciary, to whom were referred

A Bill from the Senate to vest all the right and title of the State, in and to certain property in Julius L. Bartlett; and

A Bill from the Senate to vest the right, title and interest of the State in the real and personal property of Levi Gibson, deceased, in John J. Gib-



son, made reports; which were severally ordered for consideration to-morrow.

Mr. BOYLSTON, from the same Committee, to whom were referred

The report of the Senate's Committee on the communication of J. S. G. Richardson;

A Bill from the Senate to provide for payment of taxed costs in certain cases, in which any Rail Road Compny may be a party;

A Bill from the Senate to vest the right and title of the State in and to the real estate of Peter Campbell, in James Campbell, made reports; which were severally ordered for consideration to-morrow.

Mr. DUNCAN, from the Committee on Agriculture, made a report

On a Bill from the Senate, concerning the inspection of flour in Charleston; which was ordered for consideration to-morrow.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On a Bill from the Senate to renew and amend the charter of the State Bank;

On a Bill from Senate to recharter the Bank of Camden, South Carolina;

On a Bill from the Senate to renew the charter of the Bank of South Carolina;

On a Bill from the Senate to recharter the Merchants' Bank of South Carolina, at Cheraw; which were severally ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, made reports

On the petition of the Trustees of the College of Charleston;

On the report of the Commissioners of the Deaf, Dumb and Blind;

On the petition from Greenville in relation to the Free School System;

On the report of the Attorney General on the debt due by Barnard E. Bee to the Ludlam school fund; which were severally ordered for consideration to-morrow.

Mr. CHARLES, from the Committee on Public Buildings, made reports

On the report of the Senate's Committee, on recommending an appropriation for the Jail in Colleton District;

On the report of the Senate's Committee, recommending an appropriation for Lexington Court House; which were severally ordered for consideration to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, made a report

On the report of the Commissioner of Public Works; which was ordered for consideration to-morrow.

Mr. McGOWAN, from the Committee on the Military, made reports

On certain resolutions of inquiry;

On a Bill to exempt Jerome B. Kerr, a soldier in the Mexican war in

the Mississippi Regiment, from ordinary Militia duty; which were severally ordered for consideration to-morrow.

Mr. B. J. JOHNSON, from the Committee of the Whole House, to whom had been referred sundry Bills, prescribing the manner in which Electors of President and Vice President of the United States shall be chosen, made a report; which was ordered for consideration to-morrow.

Mr. J. B. CAMPBELL, from the Committee on Claims, made reports

On the petition of Benjamin Perry;

On the claim of Isaac G. McKissick;

On the account of Dr. A. W. Bethea;

On the petition of M. G. Hart;

On the Senate's report on the account of Dr. A. W. Kennedy;

On the account of the Black River Watchman;

On the report of the Senate's Committee on the account of the Sumter Banner;

On the report of the Senate's Committee on the account of Jas. Powell;

On the account of Thomas J. Workman;

On the account of Bryan & McCarter;

On the report of the Senate's Committee on the account of Joseph J. Lawton & Co.;

On the petition of James A. Graham;

On the claim of Dr. R. L. Hart;

On the account of Llewellyn Hobbs;

On the report of the Senate's Committee on the claim of Edward D. Smith;

On the account of Thomas J. Warren;

On the account of William Huff;

On the report of the Senate's Committee on the petition of Chas. Beck;

On the account of J. W. Henegan;

On the claim of B. F. McGilvary;

On the petition of William Rice, Administrator;

On the account of Dr. W. C. Cauthen;

On the account of J. J. Bowman;

On the account of Dr. J. H. Pooser;

On the account of Edwin DeLeon and DeLeon and Carlisle;

On the claim of Thomas J. Lamotte;

On the claim of Dr. T. A. Dargan;

On the account of R. W. Gibbes & Co.;

On the account of John DeLorme;

On the account of the Abbeville Banner; and

On the report of the Senate Committee on the claim of W. W. Purse; which were severally ordered for consideration to-morrow.

Mr. HEARST, from the Abbeville Delegation, made a report on the report of the Trustees of the estate of John DeLaHewe; which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom was referred a Bill to provide for the expulsion of free negroes from this State, upon a second conviction of trading with a slave, and for other purposes, made a report; which was ordered for consideration to-morrow.

On motion of Mr. J. B. CAMPBELL, the Committee on Claims was discharged from further consideration of the account of A. Leggette; which was referred to the Committee on the Military; and

Also from further consideration of the account of Dr. A. W. Kennedy; which was ordered to *lie on the table*.

Mr. PITTS, from the Committee on District Officers and Offices, made a report

On a Bill from the Senate to authorize the Commissioners of the Poor for St. Bartholomew's Parish to sell certain lands, and for other purposes; which was ordered for consideration to-morrow.

Pursuant to notice and by leave of the House, Mr. BOYLSTON introduced a Bill in relation to the Trustees of the South Carolina College; which was read the first time, and was referred to the Committee on Education.

Mr. HEARST introduced the following Resolution, which was ordered for consideration immediately; was agreed to, and was ordered to be sent to the Senate for concurrence :

*Resolved*, That the Secretary of State be and he is hereby directed to procure from the Ordinary of Abbeville District a certified copy of the last Will and Testament of the late Dr. John De La Howe, and to deposit and duly record the same in his office at Columbia.

**SPECIAL ORDER.**

On motion of Mr. WAGNER, the House then proceeded to the consideration of a Bill to provide a fund for the erection of the new State Capitol, which had been reported by the Committee of Ways and Means, and had been made the special order of the day for this day at half-past 12 o'clock, P. M. The Bill was read the second time, was amended and the question being put, Shall the Bill be sent to the Senate? It passed in the affirmative.

**The Yeas and Nays were called for, and are as follows :**

**Yea8, 86—Nays 21.**

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and  
Messrs. Alexander, Messrs. Anderson,

Messrs. Blakeney,  
Blum,  
Boykin,  
Boylston,  
Bradley,  
Brown,  
Broyles,  
Burnet,  
Butler,  
Byrd,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cash,  
Cauthen,  
Charles,  
Christie,  
Clarke,  
Clawson,  
Cooner,  
Crosson,  
Cruikshank,  
Cureton,  
Dantzler,  
Duncan,  
Durant,  
Elliott,  
Felder,  
Flagg,  
Fox,  
Gadberry,  
Gourdin,  
Green,  
Hammond,  
Hampton,  
Harrison,  
Haskell,  
Hearst,  
Hope,  
Howell,  
Hunt,  
Ingram,

Messrs. B. J. Johnson,  
A. R. Johnston,  
Jordan,  
Kershaw,  
King,  
Lanneau,  
Lawton,  
Lesesne,  
McBee,  
McCrady,  
McGowan,  
Maxwell,  
Maybin,  
Melton,  
Mitchell,  
Mobley,  
Morgan,  
Mullins,  
Murray,  
O'Bryan,  
B. F. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Rosborough,  
Seabrook,  
Seigling,  
Springs,  
Steele,  
Sullivan,  
Thornwell,  
Tillinghast,  
Torre,  
Tradewell,  
Trenholm,  
Vance,  
Wagner,  
Wallace, and  
Witherspoon.

Those who voted in the negative, are

Messrs. Bates,  
Beaty,  
A. G. Campbell,  
Ellis,  
Hudgens,  
Hutsen,  
W. R. Johnson,  
Leitner,  
Manigault,  
Middleton,  
Moorer,

Messrs. Owens,  
J. B. Perry,  
Pickens,  
Rice,  
Sloan,  
Stokes,  
Thomson,  
Trotti,  
Wescoat, and  
Winsmith.

### SPECIAL ORDER.

The House then proceeded to the consideration of a Bill for the more prompt and perfect administration of justice; and

A Bill to provide for the more prompt and perfect administration of justice, with the report of the Special Joint Committee, consisting of the Committees on the Judiciary of the House and of the Senate, which said Bills and report had been made the special order of the day, for this day, at 1 o'clock, P. M.

A Bill to provide for the more prompt and perfect administration of justice, was read the second time, and after debate thereon;

On motion of Mr. POPPENHEIM, it was ordered that the special order be discharged, and that the said Bills be made the special order for this evening, at 7 o'clock, P. M.

On motion of Mr. POPPENHEIM, business was suspended at fifty minutes after 3 o'clock, P. M., until 7 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the Chair,

Mr. TORRE introduced the following resolution, which was ordered for consideration immediately:

*Resolved*, That the House will take a recess every day for the remainder of the session, from the hour of 3 to  $\frac{1}{2}$  past five o'clock, P. M.

Mr. J. B. CAMPBELL moved to amend the resolution by striking out " $\frac{1}{2}$  past five" and inserting "six," and the resolution, so amended, was agreed to.

The House then proceeded to the consideration of the

## GENERAL ORDERS.

The discussion of a Bill to amend the law in relation to words of limitation in deeds and wills was resumed.

The Bill was read the second time, and was ordered, to be sent to the Senate.

## SPECIAL ORDERS.

The House then proceeded to the consideration of a Bill for the more prompt and perfect administration of justice; and

A Bill to provide for the more prompt and perfect administration of justice, and the report of the Special Joint Committee, consisting of the Committees on the Judiciary of this House and of the Senate, which said Bills and report had been made the special order of the day for this day, at 7 o'clock, P. M.

A bill to provide for the more prompt and perfect administration of justice, having received two readings in this House,

On motion of Mr. BOYKIN, the further consideration of the bill and of the whole subject matter of the special order was indefinitely postponed.

The Yeas and Nays were called for, and are as follows :

Yeas 70—Nays 31.

Those who voted in the affirmative are:

Messrs. Alexander,

Allen,

Bates,

Beaty,

Blakeney,

Boykin,

Boylston,

Brown,

Burnet,

Butler,

A. G. Campbell,

Carwile,

Cash,

Cauthen,

Christie,

Clarke,

Cooner,

Crosson,

Cureton,

Dantzler,

Messrs. Duncan,

Durant,

Felder,

Flagg,

Fox,

Gadberry,

Green,

Hammond,

Harrison,

Haskell,

Hearst,

Hope,

Hudgens,

Hutson,

W. R. Johnson,

A. R. Johnston,

Jordan,

Lawton,

Leitner,

McGowan,

Messrs. Manigault,  
 Maxwell,  
 Melton,  
 Middleton,  
 Mobley,  
 Morgan,  
 Mullins,  
 Munro,  
 Murray,  
 O'Bryan,  
 Owens,  
 Pickens,  
 Pitts,  
 Poppenheim,  
 Read,

Messrs. Reynolds,  
 Rosborough,  
 Seabrook,  
 Sinkler,  
 Sloan,  
 Steele,  
 Stokes,  
 Thomson,  
 Thornwell,  
 Torre,  
 Vanee,  
 Wescoat,  
 Winsmith, and  
 Witherspoon.

Those who voted in the negative are :

The Honorable JAMES SIMONS, Speaker, and

Messrs. Anderson,  
 Blum,  
 Bradley,  
 J. B. Campbell,  
 R. E. Campbell,  
 Clawson,  
 Cruikshank,  
 Elliott,  
 Ervin,  
 Garlington,  
 Gourdin,  
 Hampton,  
 Hunt,  
 B. J. Johnson,  
 Kershaw,

Messrs. Leese,ne,  
 King,  
 McBee,  
 McCrady,  
 Mitchell,  
 B. F. Perry,  
 J. B. Perry,  
 Porcher,  
 Seigling,  
 Sullivan,  
 Tillinghast,  
 Tradewell,  
 Tucker,  
 Wagner, and  
 Walker.

On motion of Mr. KERSHAW, it was ordered that when the House adjourns, it shall be adjourned to meet at 11 o'clock, A. M., to-morrow.

On motion of Mr. KERSHAW, the House was adjourned at forty-five minutes past 9 o'clock, P. M.

THURSDAY, DECEMBER 15, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House

A Bill to amend the charter of the Greenville and Columbia Rail Road Company, and for other purposes; which was read the first time, and was referred to the Committee on Incorporations.

The Senate sent to this House

Reports of the Committee on Finance and Banks

On the memorial of the College of Charleston, praying an appropriation to enable them to extend the College building for the reception of their library;

On the petition of R. W. Gibbes, asking aid in the publication of certain Revolutionary Documents; which were severally referred to the Committee on Education.

Reports of the Committee on the Lunatic Asylum and Medical Accounts

On the account of Dr. J. T. Steele, for post mortem examination;

On the account of Dr. J. Ford Prioleau, for post mortem examination.

Reports of the Committee on Claims and Grievances

On the account of the proprietors of the Pee Dee Times, for public printing;

On the account of John W. Henegan, Sheriff of Marlboro', for blankets furnished the jail; which were severally referred to the Committee on Claims.

Report of the Committee on Federal Relations

On so much of the Governor's Message as relates to the boundary between South Carolina and Georgia; which was referred to the Committee on the Judiciary.

Report of the Committee on College, Education and Religion on the report of the Attorney General, and also on the statement of the Treasurer of the Ludlam School Fund; which was referred to the Committee on Education.

The Senate sent to this House

A resolution authorizing certain persons to protect their residences on Sullivan's Island, by erecting a breakwater on the front beach; which was ordered for consideration to-morrow.

The Senate returned to this House with their concurrence

Reports of the Committee on Claims



On the account of the Charleston Mercury ; and

On the petition of H. M. Quattlebaum.

The Senate sent to this House the following Bills ; which were read the first time, and were referred to the Committee on the Judiciary :

A Bill to enlarge the jurisdiction of the City Court of Charleston, and to provide for the better administration of justice therein ;

A Bill to regulate the fees of the City Sheriff of Charleston for serving writs of *venire* for petit jurors.

Mr. SLOAN presented the petition of the Pendleton Delegation, praying the annual payment to the Richland Artillery for the year 1852 ; which was referred to the Committee on the Military.

Mr. McCRADY presented the petition of sundry citizens of Charleston, praying for the amendment of the laws regulating interest on loans of money ; which was referred to the Committee on the Judiciary.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports on a Bill from Senate to incorporate the Central Bank of South Carolina ; and

On a Bill from the Senate to recharter the Bank of Hamburg, South Carolina ; which were severally ordered for consideration to-morrow.

Mr. TRENHOLM, from the same Committee, made a report of a Bill from the Senate to authorize the Comptroller General to transfer sixteen thousand dollars of the stock owned by the State in the South Carolina Rail Road Company and the South Western Rail Road Bank to the Laurens Rail Road Company ; which was ordered for consideration to-morrow.

Mr. McCRADY, from the Committee on Incorporations, made a report

On the petition for the renewal of the Act of Incorporation of the Goose Creek Baptist Church ;

On the petitions of the Marion Fire Engine Company, of the Town Council of Georgetown, on the memorial of the South Carolina Insurance Company, and of the German Settlement Society of Charleston ; which was ordered for consideration to-morrow.

Mr. McGOWAN, from the Committee on the Military, made a report on the petition of A. Leggette ; which was ordered for consideration to-morrow.

Mr. RICE, from the Committee on Roads, Bridges and Ferries, made a report on the resolution of inquiry into the expediency and propriety of erecting gates in the stead of keeping lanes on all roads but market roads ; which was ordered for consideration to-morrow.

Mr. MIDDLETON, from the Committee of Ways and Means, to whom was referred the memorial of the City Council of Charleston praying for power to tax Banking Houses, made a report, and reported

A Bill to authorize municipal corporations to tax the real estate of Bank-

ing Houses; which was read the first time, and with the report was ordered for consideration to-morrow.

Pursuant to notice and by leave of the House, Mr. HUNT introduced a resolution to suspend the 74th rule of this House for the remainder of this session; which was adopted, two thirds of the members present agreeing thereto.

Mr. HUNT presented the petition of the South Carolina Mechanics Association, praying a renewal of charter; which was referred to the Committee on Incorporations.

On motion of Mr. BOYLSTON, leave of absence was granted to Mr. Ingram for the remainder of the session, on account of sickness in his family.

On motion of Mr. BOYLSTON, it was ordered that a message be sent to the Senate, proposing to that body to go into an election for Trustees of the South Carolina College this day, at 2 o'clock, P. M.

Mr. OWENS obtained leave to withdraw from the files of this House the account of Dr. J. W. Ogilvie.

Mr. BYRD obtained leave to withdraw from the files of this House the account of P. D. Stokes; and

Mr. HAMPTON obtained leave to withdraw from the files of this House the petition of William Glaze.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to vest the title of the State in certain escheated property in sundry persons therein mentioned, was read the second time and was ordered to be sent to the Senate.

The following reports were considered and agreed to, and were ordered to be sent to the Senate:

Report of the Committee on Claims

On the account of Dr. J. W. McNeal;

On the account of Drs. Lawrence and Johnson;

On the account of Dr. Milton Goudelock;

On the account of Dr. J. J. McCants;

On the account of Dr. C. H. Durham;

The following report was agreed to:

Report of the Committee on District Officers and Offices on the petition praying the appointment of an additional Magistrate in Beat No. 1, York District.

Resolutions respecting the 60th Rule of this House, introduced by Mr. KERSHAW, were ordered to lie on the table.

The following reports were considered and agreed to:

Report of the Committee on the Legislative Library in relation to Dr. Gibbes' Book;

Report of the Committee on the Judiciary, on so much of the presentment of the Grand Jury of Chester as relates to cattle killed on Rail Roads.

A Bill to alter the sittings of the Court of Law on the Northern Circuit was read the second time, and was ordered *to lie on the table*.

The following message was received from the Senate :

IN THE SENATE, December 15, 1853.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate concurs in the proposal of your House to go into an election of Trustees of the South Carolina College, to-day at 2 o'clock, P. M.

By order of the Senate.

ROBT. F. W. ALLSTON, President.

The General Orders were suspended.

Mr. SULLIVAN introduced the following resolution ; which was ordered for consideration immediately, and was agreed to, and was ordered to be sent to the Senate for concurrence :

*Resolved*, That five thousand copies of the letter of J. H. Thornwell, President of the South Carolina College, on the subject of Public Education, addressed to his Excellency the Governor, be printed, two thousand of which shall be for the use of the members of the Legislature, and the balance distributed with the Acts of this General Assembly.

Mr. VANCE, from the Committee on Internal Improvements, to whom was referred

A Bill from the Senate to declare a certain description of streams navigable, and for other purposes, made a report, and

Mr. ALLEN, from the same Committee, made a minority report on the same Bill ; which were severally ordered for consideration to-morrow.

The House then resumed the consideration of the

#### GENERAL ORDERS.

A Bill to secure to defendants in the sessions, like process with the State, in all cases to procure the attendance of witnesses, and allowing State witnesses compensation for attendance on court ; was ordered *to lie on the table*.

The following Reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims

On the account of Dr. W. J. Dargan ;

On the account of the Clerk of the Court of Appeals at Columbia ;

On the account of McCarter & Co. ;

On the account of Dr. J. S. Lawton ;

On the account of the Keowee Courier ;

On the petition of B. H. Brown ;

On the account of Dr. H. W. Blanding ;

On the account of Dr. D. H. Gregorie ;

On the account of W. Pickens Black ;

On the petition of L. W. McCants ;

On the account of Dr. James Willingham ;

On the account of Dr. J. S. Lawton ;

On the account of Isaac Vansant ;

On the petition of O. Richardson ;

On the petition of Jacob Wolfe, and

On the account of Dr. R. S. Mellet.

The following Reports were considered and agreed to :

Report of the Committee on the Judiciary

On the petition of Jane Mallet.

Reports of the Committee on Claims

On the petition of Joseph Chandler ;

On the petition of Leonard Chandler ;

On the account of Dr. W. W. Graham ;

On the account of Thomas Frean ;

On the petition of James Windham.

Report of the Committee on the Military

On the petition from York to exempt Managers of Election from military duty.

Report of the Committee on Roads, Bridges and Ferries

On the presentments from Barnwell, Pickens, Chester and Kershaw.

The following reports were ordered *to lie on the table* :

Reports of the Committee on Roads, Bridges and Ferries ;

On petitions for the discontinuance of a Road in Greenville ; and

On the petition from Union, praying the opening of a new road.

A Bill to repeal an Act to alter and amend the license laws of this State, was ordered *to lie on the table*.

A Bill to alter and amend the license laws of this State was read the second time, and the question being put, shall this Bill be sent to the Senate? It passed in the affirmative.

The yeas and nays were called for, and are as follows :

Yeas, 52—Nays, 86.

Those who voted in the affirmative, are

## Hon. JAMES SIMONS, Speaker, and

Messrs. Allen,	Messrs. Hudgens,
Anderson,	Hutson,
Bates,	Jordan,
Beaty,	Lawton,
Blum,	McGowan,
Brown,	Maybin,
Byrd,	Mitchell,
A. G. Campbell,	Mobley,
R. E. Campbell,	Moorer,
Carwile,	Morgan,
Christie,	O'Bryan,
Clawson,	Owens,
Cooner,	Patterson,
Crdikshank,	J. B. Perry,
Cureton,	Poppenheim,
Dantzler,	Read,
Felder,	Springs,
Fox,	Stokes,
Gadberry,	Sullivan,
Green,	Torre,
Hammond,	Tradewell,
Harrison,	Tucker,
Haskell,	Vance,
Hearst,	Walker, and
Hope,	Winsmith.
Howell,	

Those who voted in the negative, are

Messrs. Boykin,	Messrs. W. B. Johnson,
Boylston,	Kershaw,
Bradley,	Lesesne,
Cauthen,	McBee,
Charles,	McCrary,
Clarke,	Manigault,
Crosson,	Maxwell,
Duncan,	Melton,
Durant,	Middleton,
Elliott,	Mullins,
Gourdin,	B. F. Perry,
Hampton,	Pickens,
Hunt,	Pitta,

Messrs. Porcher,  
 Rosborough,  
 Seabrook,  
 Sloan,  
 Steele,

Messrs. Thomson  
 Trenholm,  
 Wallace,  
 Wescoat, and  
 Witherspoon.

The Bill was then ordered to be sent to the Senate.

A Bill to allow William Langston to hawk and peddle in Union District without the payment of the tax now imposed by law, was read the second time, and was ordered to be sent to the Senate.

A Bill to prescribe the mode and terms on which Municipal Corporations in this State may subscribe to the stock of Rail Roads, Plank Roads, and Canal Companies, was read the second time.

The general orders were suspended.

The Senate attended and joined the House in a ballot for Trustees of the South Carolina College.

Message No. 4 was received from his Excellency the Governor, and was read by John Peter Richardson, Jr., Esq., his Private Secretary.

On motion of Mr. READ, it was ordered that a Committee of three be appointed to examine the contingent accounts of his Excellency the Governor, and that a Message be sent to the Senate requesting that body to appoint a similar Committee to act with the Committee of this House.

The following Message was received from the Senate :

IN THE SENATE, December 15, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate has appointed Messrs. Townsend, Zimmerman and Brockman a Committee to examine the contingent accounts of his Excellency the Governor and respectfully asks your House to appoint a similar Committee to meet the Committee of the Senate.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. TRADEWELL, the House reconsidered the resolution to appoint a Committee of three to examine the contingent accounts of his Excellency the Governor, and to send a Message to the Senate requesting that body to appoint a similar Committee to act with the Committee of this House.

The resolution was ordered to *lie on the table*, and it was further ordered that the Message of the Senate be concurred in, and that an answer be returned accordingly;

Messrs. Read, McGowan and Owens being appointed the Committee to act on the part of this House.

The House resumed the consideration of the

### GENERAL ORDERS.

The debate upon a Bill to prescribe the mode and terms on which Municipal Corporations in this State may subscribe to the stock of Rail Road, Plank Road and Canal Companies was renewed.

Under the resolution of this House, business was suspended at 8 o'clock, P. M. until 6 o'clock, P. M.

### RECESS.

When the Speaker resumed the Chair,

The debate upon a Bill to prescribe the mode and terms on which Municipal Corporations in this State may subscribe to the stock of Rail Road, Plank Road and Canal Companies was renewed, and the question being put, Shall this Bill be sent to the Senate? It passed in the affirmative.

The Yeas and Nays were called for, and are as follows :

Yeas, 58—Nays, 42.

Those who voted in the affirmative, were

Hon. JAMES SIMONS, Speaker,

Messrs. Alexander,

Bates,

Blum,

Bradley,

Brown,

Burnet,

A. G. Campbell,

J. B. Campbell,

Carwile,

Cauthen,

Christie,

Clawson,

Cruikshank,

Durant,

Elliott,

Gadberry,

Garlington,

Gourdin,

Green,

Messrs. Hammond,

Hampton,

Haskell,

Hearst,

B. J. Johnson,

W. R. Johnson,

A. R. Johnston,

Kershaw,

King,

Lawton,

Lesesne,

McCrady,

McGowan,

Maxwell,

Maybin,

Melton,

Mitchell,

Moorer,

O'Bryan,

Messrs. Owens,  
J. B. Perry,  
Poppenheim,  
Read,  
Reynolds,  
Seigling,  
Sloan,  
Steele,  
Stokes,  
Thomson,

Messrs. Thornwell,  
Tillinghast,  
Torre,  
Tradewell,  
Trenholm,  
Tucker,  
Wallace,  
Wescoat, and  
Witherspoon.

Those who voted in the negative were :

Messrs. Allen,  
Anderson,  
Beaty,  
Boykin,  
Boylston,  
Butler,  
R. E. Campbell,  
Cash,  
Charles,  
Clarke,  
Coener,  
Crosson,  
Cureton,  
Dantzer,  
Duncan,  
Ellis,  
Felder,  
Flagg,  
Fox,  
Harrison,  
Hope,

Messrs. Hudgens,  
Hunt,  
Hutson,  
Jordan,  
McBee,  
Manigault,  
Middletown,  
Mobley,  
Morgan,  
Porcher,  
Roseborough,  
Seabrook,  
Sullivan,  
Vance, and  
Winsmith.  
Mallins  
Munro,  
Murray,  
B. F. Perry,  
Pickens,  
Pitts,

The Bill was then ordered to be sent to the Senate.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Medical Committee

On the account of Drs. A. and S. A. Evans ;

On the account of Drs. Turpin and Jones.

Reports of the Committee of Ways and Means.

On the petition of P. M. Bland ;



On the petition of W. A. Bonnett ;

On the petition of A. A. Bonnett ;

On the account of the disbursement of the transient poor fund of Georgetown ; and

The petition of the Commissioners for increase of appropriation.

The following reports were agreed to :

Reports of the Committee on Incorporations.

On the petition of the members of the Bethlehem Church ;

On the petitions of the Deacons of the Black Swamp Baptist Church in Beaufort District ; of the Town Council of Pendleton ; of the United Congregations of Cedar Springs and Lower Long Cane, and of the Associate Reformed Presbyterian Church ; of the German Fire Company ; of the German Ladies' Benevolent Society ; and of the Eutaw Encampment No. 2 I. O. O. F. of Columbia ;

On the petition of the Deacons of the Steep Bottom Baptist Church ; of the Hibernian Society of Columbia ; of the Sumter Lodge No. 23 I. O. O. F. ; of George Barnwell and others.

Report of the Medical Committee on the account of Drs. J. B. and J. F. Davis.

Unfavorable reports of the Committee on the Judiciary on the following Bills were agreed to :

A Bill to alter the law respecting the granting of vacant lands in the State of South Carolina ; and

A Bill to amend the law in relation to Sheriffs ; and the said Bills were ordered to lie on the table.

A Bill to regulate appeals at law, was read the second time, and

On motion of Mr. MITCHELL, was re-committed to the Charleston Delegation.

The following report was agreed to :

Report of the Committee on Roads, Bridges and Ferries on a petition of the Commissioners of the 5th Regiment, praying the discontinuance of a road in Pickens.

The General Orders were suspended.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to amend an Act entitled " An Act more effectually to prevent free negroes and free persons of color from entering this State, and for other purposes," passed the nineteenth day of December, Anno Domini, one thousand eight hundred and thirty-three ; which was referred to the Committee on Colored Population ; and

A Bill to renew the charter of the Bank of Charleston, South Carolina ; which was referred to the Committee of Ways and Means.

Mr. BOYKIN, from the Committee on Education, to whom was referred a Bill in relation to the South Carolina College, made a report ; which was ordered for consideration to-morrow.

Mr. CROSSON, from the Committee on Incorporations, to whom was referred a Bill from the Senate to authorize the formation of the Newberry and Chester Rail Road Company, made a report ; which was ordered for consideration to-morrow.

Mr. CROSSON, from the Committee appointed to count the votes cast on the ballot for Trustees of the South Carolina College, reported that

Messrs. W. F. DeSaussure,  
C. G. Memminger,  
R. W. Barnwell,  
T. N. Dawkins,  
John Buchanan,  
Wade Hampton, Sen.,  
J. D. Witherspoon,  
James Gillespie,  
James L. Petigru,  
Thomas Smith,

Messrs. J. H. Adams,  
B. F. Perry,  
James Chesnut, Jun.,  
John S. Preston,  
David Johnson,  
R. W. Gibbes,  
J. I. Middleton,  
J. H. Means,  
W. C. Preston, and  
F. J. Moses

had received a majority ;

Whereupon the SPEAKER announced that the above named gentlemen are duly elected Trustees of the South Carolina College.

Mr. McCRADY presented the petition of the Philharmonic Society, praying to be incorporated ; which was referred to the Committee on Incorporations.

The House resumed the consideration of the

### GENERAL ORDERS.

The following Reports were considered and agreed to :

Reports of the Committee on Roads, Bridges and Ferries

On the petition to discontinue a road in Chester ;

On the petition of the Commissioners of Roads in Williamsburg, praying the opening of a new road ;

On the petition from Pickens, praying that the Commissioners of Roads be restricted to a maximum of 25 per cent. ; and

On the petition of R. J. McFadden.

The Report of the Committee on Public Buildings

On the presentment of the Grand Jury of Kershaw, Spring Term, 1853.

The following Bills were ordered *to lie on the table*.

A Bill to amend the charter of the Fireman's Insurance Company of Charleston ;

A Bill to authorize the Spartanburg and Union Rail Road Company to extend their road from some point at or near Spartanburg C. H. to some point on the North Carolina line, in the direction of Asheville or Rutherford.

The following Bills were read the second time, and were ordered to be returned to the Senate:

A Bill to amend the charter of the Fireman's Insurance Company of Charleston;

A Bill to authorize the Spartanburg and Union Rail Road Company to extend their road from some point at or near Spartanburg C. H. to some point on the North Carolina line in the direction of Asheville or Rutherford.

The following reports were considered and agreed to:

Reports of the Committee on Colored Population

On the presentment of the Grand Jury of Kershaw; and

On the petition of William Jackson.

A Bill to amend the law in relation to weights and measures was read the second time, and was ordered to be sent to the Senate.

A Bill to define the principles on which joint stock banks shall be incorporated, and to charter the State Bank of South Carolina, the Bank of South Carolina, the Bank of Charleston, South Carolina, the Bank of Hamburg, the Merchants' Bank of South Carolina at Cheraw, and the Central Bank of South Carolina; was made the special order of the day for to-morrow, 16th instant, at 1 o'clock P. M.

The following reports were considered and agreed to; and were ordered to be sent to the Senate for concurrence:

Reports of the Committee on Claims

On the petition of James Bonds;

On the account of Dr. J. W. Thompson;

On the account of Dr. M. Kelly; and

On the account of Dr. J. W. Stephens.

The resolutions providing a sword for Capt. Barnard E. Bee were considered and agreed to; and were ordered to be sent to the Senate for concurrence.

The resolutions providing a sword or other testimonial to Capt. Duncan N. Ingraham, U. S. N., were concurred in, and were ordered to be returned to the Senate.

The report of the Committee on the Judiciary on so much of the Governor's Message No. 1 as relates to the boundary between South Carolina and Georgia was considered and agreed to, and was ordered to be sent to the Senate for concurrence.

On motion of Mr. SEIGLING, it was ordered that when this House adjourns it shall be adjourned to meet to-morrow at 11 o'clock, A. M.

On motion of Mr. SEIGLING, the House was adjourned at 20 minutes past 9 o'clock, P. M.

## FRIDAY, DECEMBER 16, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. SLOAN, from the Committee of Ways and Means, made a report

On a Bill from the Senate to define the rights, powers and privileges of incorporated banks, and the regulations and conditions to which they shall be subject; which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, made a report

On a Bill from the Senate to amend an Act more effectually to prevent free negroes of color from entering into this State, and for other purposes, passed on the thirteenth day of December, Anno Domini one thousand eight hundred and thirty-five; which was ordered for consideration to-morrow.

Mr. LEITNER, from the Committee on Internal Improvements, made a report on so much of the Message No. 1, of his Excellency the Governor, as relates to the public lands and canals; which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

Mr. HOPE, from the Committee on Public Buildings, made a report

On the petition of the Commissioners of Public Buildings of Newberry for an additional appropriation for Jail; which was ordered for consideration to-morrow.

Mr. LESESNE, from the Committee on the Judiciary, made a report on a Bill from the Senate to repeal the proviso to the first section of an Act entitled "An Act relating to the survey of the coast of South Carolina under the authority of the United States; which was ordered for consideration to-morrow.

Mr. MITCHELL, from the same Committee, made a report

On a Bill from the Senate to enlarge the jurisdiction of the City Court of Charleston, and to provide for the better administration of justice therein; which was ordered for consideration to-morrow.

Mr. MCGOWAN, from the Committee on the Military, made reports

On the petition of the Pendleton Delegation; and

On the report of the Board of Visitors of the State Military Academies; which were severally ordered for consideration to-morrow.

Mr. THOMSON, from the Committee on the Lunatic Asylum, made a report on the resolutions of inquiry as to the purchase of a new site for the Asylum; which was ordered for consideration to-morrow.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the petition of Daniel Williams, Sheriff;

On the report of the Senate's Committee on the petition of John E. Carew;

On the petition of J. E. McDonald and T. F. Sullivan; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom was referred a Bill from the Senate to renew the charter of the Bank of Charleston, South Carolina, made a report; which was ordered to be considered immediately, and the said Bill was made the special order of the day for this day at 1 o'clock, P. M.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

On motion of Mr. MIDDLETON, the following Bills from the Senate were taken up out of their order, and were made the special order of the day for this day at 1 o'clock, P. M.:

A Bill to renew and amend the charter of the State Bank;

A Bill to renew the charter of the Bank of South Carolina;

A Bill to re-charter the Bank of Camden, South Carolina;

A Bill to re-charter the Merchants Bank of South Carolina at Cheraw;

A Bill to incorporate the Central Bank of South Carolina;

A Bill to re-charter the Bank of Hamburg, South Carolina.

The General Orders were suspended.

Mr. CLAWSON introduced the following Resolutions; which were ordered to be considered immediately; were agreed to, and were ordered to be sent to the Senate for concurrence:

*Resolved*, That the Governor cause to be printed five hundred copies of the report, and several accounts of B. S. Massey, Agent of the Catawba Indians, filed in his office on the 12th day of December, 1853, to be distributed amongst the citizens of the Indian Land, in York and Lancaster Districts, for information to them as to the manner in which said Agent has discharged his duty.

*Resolved*, Hereafter it shall be the duty of the said Agent, or any other hereafter appointed, not only to make report to the Governor annually, as by law he is now required to do, but that said report and his account of moneys received and paid out by him as Agent aforesaid, shall be duly authenticated by affidavit, as other contingent accounts against the State are now required to be authenticated.

*Resolved further*, That it shall be the duty of said Agent, or any other hereafter appointed, to deposite copies of his annual report and accounts in the offices of the Clerks of the Court for York and Lancaster Districts, on or before the first day of each fall term of the Court of Common Pleas for

said District, and that it shall be the duty of the presiding Judge of said courts to cause the same to be read in open court, by the Clerk, on the first day of each term aforesaid, for the information of those interested therein, and that said clerks cause the said report and account to be printed and published in the newspapers in said Districts at least once immediately after the rising of the court.

On motion of Mr. TILLINGHAST, it was ordered that a message be sent to the Senate, proposing to that body to go into an election for President and Directors of the Bank of the State of South Carolina to-morrow at 12 o'clock, M.

Mr. REYNOLDS, from the Charleston Delegation, made a report on a Bill to regulate Appeals at Law; which, on motion of Mr. MITCHELL, was ordered to *lie on the table*.

Mr. POPPENHEIM, from the Committee on the Lunatic Asylum, made a minority report on the resolutions of inquiry respecting the purchase of a new site for the Asylum.

On motion of Mr. THOMSON, the report of the Committee on the Lunatic Asylum, on the same subject, was ordered for consideration immediately, and was made the special order of the day for to-morrow, 17th inst., at 12 o'clock, M.

Mr. McCRADY, from the Committee on Incorporations, made reports

On the petition of the Charleston Fire Company of Axemen, and the petition of the Board of Fire Masters of the City of Charleston;

On the petition of the Philharmonic Society and the South Carolina Mechanics' Association; which were severally ordered for consideration to-morrow

The House then resumed the consideration of the

### GENERAL ORDERS.

A Bill to alter the sittings of the Courts of Law on the Northern Circuit was *taken up*, was read the second time, and was ordered to be sent to the Senate.

The unfavorable report of the Committee on the Judiciary on

A Bill to change the name of the Judicial District of Spartanburg to Spartan, the constitutional name of the Election District, and to require all legal process to be entitled accordingly, was agreed to, and the said Bill was ordered to *lie on the table*.

A Bill to subscribe on the part of the State to the Blue Ridge Rail Road in South Carolina, was ordered to *lie on the table*.

A Bill to authorize aid to the Blue Ridge Rail Road Company was read the second time; and on motion of Mr. TRENHOLM, was made the special order of the day for this day at 6 o'clock, P. M.

The unfavorable reports of the Committee of Ways and Means on the following Bills were agreed to, and the said Bills were ordered to *lie on the table* :

- A Bill to renew the charter of the Bank of Charleston, South Carolina ;
- A Bill to recharter the Merchants' Bank of South Carolina at Cheraw ;
- A Bill to renew the charter of the Bank of South Carolina ;
- A Bill to recharter the Bank of Camden, South Carolina .

The following reports were considered and agreed to :

Report of the Committee on Public Buildings

On the presentment of the Grand Jury of Barnwell.

Report of the Committee on District Officers and Offices

On the presentment of the Grand Jury of Barnwell.

The report of the Committee on Public Buildings on the petition of the Commissioners of Public Buildings of Abbeville, was considered, was agreed to, and was ordered to be sent to the Senate for concurrence.

The report of the same Committee on the report of the Senate Committee on the presentment of the Grand Jury, and the memorial of the Commissioners of Public Buildings of Lexington District, was considered, the Senate report was concurred in, and was ordered to be returned to the Senate.

The report of the Committee on Public Buildings on the presentment of the Grand Jury of Lexington, and the memorial of the Commissioners of Public Buildings of the same District ; was ordered to *lie on the table*.

The following Bills were read the second time ; and were ordered to be sent to Senate :

A Bill to authorize the Commissioners of the Poor of Pickens to sell certain lands, and for other purposes ;

A Bill to extend the time for renewing subscriptions to the Western Bank of South Carolina at Anderson.

The following Bills were ordered to *lie on the table* :

A Bill to extend the time for securing the capital stock, and for organizing the Western Bank of South Carolina at Anderson ;

A Bill to repeal the 6th section of an Act passed at the session of the General Assembly on the 16th December, 1852, entitled " An Act to extend the charter of the Bank of the State of South Carolina ;"

A Bill to renew and amend the charter of the State Bank.

The report of the Committee of Ways and Means on the report of the State proxies in the South Carolina Rail Road Company, was considered, was agreed to, and was ordered to be sent to Senate for concurrence.

The report of the Committee on the Judiciary

On the petition of J. J. Gibson ; was agreed to.

A Bill to render incompetent to prove a will, all such subscribing wit-

nesses to the same to whom any bequest or legacy is given in said will was read the second time and was ordered *to lie on the table*.

A Bill to amend the law in relation to wills was read the second time, and was ordered to be sent to the Senate.

The General Orders were suspended.

Mr. SULLIVAN, from the Committee of Ways and Means, to whom was referred

A Bill from the Senate to amend an Act, entitled "An Act to authorize the formation of the Savannah River Valley Rail Road Company, and for other purposes, made a report; which was ordered for consideration tomorrow.

The following Message was received from the Senate:

IN THE SENATE, December 16, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives.*

Senate concurs in the proposal of your House to go into a ballot for President and Directors of the Bank of the State of South Carolina tomorrow, at 12 o'clock, M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

### SPECIAL ORDER.

The House then proceeded to the consideration of

A Bill to define the principles on which Joint Stock Banks shall be incorporated; and to charter the State Bank of South Carolina; the Bank of South Carolina; the Bank of Charleston, South Carolina; the Bank of Hamburg; the Merchants' Bank of South Carolina at Cheraw, and the Central Bank of South Carolina.

A Bill from the Senate to renew and amend the charter of the State Bank.

A Bill from the Senate to recharter the Bank of Camden, South Carolina.

A Bill from the Senate to renew the charter of the Bank of South Carolina.

A Bill from the Senate to re-charter the Merchants' Bank of South Carolina at Cheraw.

A Bill from the Senate to incorporate the Central Bank of South Carolina, and

A Bill from the Senate to re-charter the Bank of Hamburg, South Carolina; which said Bills had been made the Special Order of the day for this day at 1 o'clock, P. M.

A Bill to define the principles on which Joint Stock Banks shall be in-



incorporated, and to charter the State Bank of South Carolina; the Bank of South Carolina; the Bank of Charleston, South Carolina; the Bank of Hamburg, South Carolina; the Merchants' Bank of South Carolina, at Cheraw, and the Central Bank of South Carolina, was read the second time, and was ordered to lie on the table.

A Bill from the Senate to renew the charter of the Bank of Charleston, South Carolina was called for a second reading.

Under the resolution of this House, business was suspended at 3 o'clock, P. M., until 6 o'clock, P. M.

### RECESS.

The Senate sent to this House.

A Bill to prohibit the collection of demands against students of the Colleges and Institutions of Education in this State; which was read the first time, and was referred to the Committee on Education.

On motion of Mr. McCRADY, the Special Order was discharged and the Bills included therein were made the Special Order for 15 minutes past 6 o'clock, P. M.

Mr. McCRADY, from the Committee on Incorporations, made reports  
On Bills from the Senate

To increase the powers of the Town Council of Georgetown in certain particulars, and

A Bill to amend the charter of the Greenville and Columbia Rail Road Company, and for other purposes; which were severally ordered for consideration to-morrow.

On motion of Mr. TUCKER, leave of absence was granted to Mr. A. G. Campbell for the remainder of the Session on account of sickness in his family.

On motion of Mr. TRADEWELL, leave of absence was granted to Mr. Patterson for the remainder of the Session.

On motion of Mr. LAWTON, leave of absence was granted to Mr. A. R. Johnston for the remainder of the Session.

The House then resumed the consideration of the

### GENERAL ORDERS.

A Bill to incorporate certain societies, associations and companies, and to renew and amend the charters of others, was taken up and was read the second time and was ordered to be sent to the Senate.

Mr. J. B. CAMPBELL gave notice that upon the third reading of the Bill, he would move to amend it in certain particulars.

## SPECIAL ORDER.

The House then proceeded to the consideration of the Bills relating to the re-charter of certain Banks, the charter of another, and the principles upon which Joint Stock Banks shall be incorporated; which had been made the Special Order of the day for this day at fifteen minutes past six o'clock, P. M.

A Bill from the Senate to renew the charter of the Bank of Charleston, South Carolina, being read the second time,

Mr. MIDDLETON offered the following as an amendment, as an additional Section to the Bill:

"That if the officers of said Bank shall, during their hours of business, refuse or delay payment, in gold or silver coin, of any note or bill of said bank presented for payment, said bank shall be liable to pay to the holders of such note or bill damages at the rate of twenty-one per cent. per annum, for the time during which such payment shall be refused or delayed."

Mr. TRENHOLM moved that the amendment be ordered *to lie on the table*. And the question being put, will this House agree thereto? It passed in the affirmative.

The Yeas and Nays were called for, and are as follows:

Yeas, 57—Nays 39.

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Messrs. Gourdin,

Allen,

Green,

Blum,

Hammond,

Boykin,

Hampton,

Boylston,

Harrison,

Burnet,

Haskell

Brown,

Hunt,

Charles,

B. J. Johnson,

Christie,

A. R. Johnston,

Clarke,

Kershaw,

Clawson,

King,

Crosson,

Lanneau,

Cruikshank,

Lawton,

Cureton,

Leitner,

Duncan,

Lesesne,

Elliott,

McBee,

Flagg,

McGowan,

Garlington,

Melton,

Messrs. Mitchell,  
Mobley,  
Morgan,  
Murray,  
B. F. Perry,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,

Messrs. Rosborough,  
Sloan,  
Springs,  
Steele,  
Tillinghast,  
Trenholm,  
Wagner,  
Wescoat, and  
Winsmith.

Those who voted in the negative are :

Messrs. Bates,  
Beaty,  
Byrd,  
A. G. Campbell,  
R. E. Campbell,  
Cash,  
Dantzler,  
Durant,  
Ervin,  
Felder,  
Fox,  
Gadberry,  
Hearst,  
Hulgens,  
Hutson,  
W. R. Johnson,  
Jordan,  
McKnight,  
Manigault,  
Maxwell,

Messrs. Maybin,  
Middleton,  
Mullins,  
Munro,  
O'Bryan,  
Patterson,  
J. B. Perry,  
Pickens,  
Stokes,  
Sullivan,  
Thornwell,  
Torre,  
Tradewell,  
Tucker,  
Vance,  
Walker,  
Wallace,  
Weatherly, and  
Witherspoon.

Mr. MIDDLETON proposed the following amendment to the Bill,

"That the benefits conferred upon said Banking Company by this Act shall attach and become valid so soon as said Company shall have reduced their capital stock to one million of dollars, and not before."

Mr. J. B. CAMPBELL moved that the amendment be ordered to *lie on the table*. And the question being put, will the House agree thereto? it passed in the affirmative.

The yeas and nays were called for, and are as follows :

Yeas, 73—Nays, 27.

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and

Messrs. Alexander,

Allen,  
Bates,  
Blum,  
Boykin,  
Boylston,  
Brown,  
Broyles,  
Byrd,  
J. B. Campbell,  
R. E. Campbell,  
Carwile,  
Cash,  
Cauthen,  
Charles,  
Christie,  
Clarke,  
Clawson,  
Cruikshank,  
Duncan,  
Elliott,  
Ervin,  
Flagg,  
Gadberry,  
Gourdin,  
Green,  
Hammond,  
Hampton,  
Harrison,  
Haskell,  
Hearst,  
Hope,  
Howell,  
Hunt,  
Hutson,  
B. J. Johnson,

Messrs. Jordan,

Kershaw,  
King,  
Lanneau,  
Lawton,  
Leitner,  
Lesesne,  
McBee,  
McGowan,  
Maxwell,  
Mobley,  
Morgan,  
Munro,  
Murray,  
Owens,  
Patterson,  
B. F. Perry,  
Pickens,  
Pitts,  
Poppenheim,  
Read,  
Reynolds,  
Seigling,  
Sloan,  
Springs,  
Steele,  
Sullivan,  
Thomson,  
Thornwell,  
Tillinghast,  
Torre,  
Tucker,  
Vance,  
Wagner,  
Weatherly, and  
Winsmith.

Those who voted in the negative, are

Messrs. Beaty,

Burnet,

Messrs. Crosson,

Cureton,

Messrs. Dantzler,  
 Durant,  
 Felder,  
 Fox,  
 Garlington,  
 Hudgens,  
 W. R. Johnson,  
 McCrady,  
 McKnight,  
 Manigault,  
 Maybin,  
 Melton,

Messrs. Middleton,  
 Moorer,  
 Mullins,  
 O'Bryan,  
 J. B. Perry,  
 Rosborough,  
 Stokes,  
 Tradewell,  
 Walker,  
 Wallace, and  
 Wescoat.

The Bill was then ordered to be returned to the Senate.

The following Bills were read the second time and were ordered to be returned to the Senate :

- A Bill to renew and amend the charter of the State Bank ;
- A Bill to recharter the Bank of Camden, South Carolina ;
- A Bill to renew the charter of the Bank of South Carolina ;
- A Bill to recharter the Merchants' Bank of South Carolina at Cheraw ;
- A Bill to incorporate the Central Bank of South Carolina ;
- A Bill to recharter the Bank of Hamburg, South Carolina.

Mr. HUTSON gave notice that he will ask leave to-morrow to introduce a resolution to rescind the fifty-second Rule of this House.

The House resumed the consideration of the

#### GENERAL ORDERS.

A Bill respecting Wills was ordered to *lie on the table*.

Report of the Committee on Internal Improvements on the petition concerning a certain bridge over Wateree River, was agreed to.

A Bill to authorize the South Carolina Rail Road Company to build a certain bridge over the Wateree River, was read the second time, and was ordered to be sent to the Senate.

A Bill to provide for the measuring of lumber or timber in the City of Charleston, and to create the office of Inspector and Surveyor thereof, was read the second time, and the question being put, shall the Bill be ordered to be sent to the Senate? it passed in the affirmative.

The Yeas and Nays were called for, and are as follows :

Yeas 44—Nays 41.

Those who voted in the affirmative are:

Messrs. Allen,  
 Beaty,

Messrs. Boykin,  
 Boylston,

Messrs. Bradley,  
Brown,  
Carwile,  
Christie,  
Cureton,  
Dantzler,  
Duncan,  
Ellis,  
Ervin,  
Felder,  
Fox,  
Green,  
Harrison,  
Haskell,  
Hearst,  
Hope,  
Howell,  
Hutson,  
B. J. Johnson,  
Lawton,

Messrs. McGowan,  
McKnight,  
Manigault,  
Maxwell,  
Maybin,  
Melton,  
Moblely,  
Moorer,  
Morgan,  
Munro,  
Murray,  
Owens,  
J. B. Perry,  
Rosborough,  
Springs,  
Stokes,  
Thomson,  
Tradewell,  
Tucker, and  
Winsmith.

Those who voted in the negative, are

The Honorable JAMES SIMONS, Speaker, and

Messrs. Blakeney,  
Blum,  
Broyles,  
J. B. Campbell,  
R. E. Campbell,  
Charles,  
Clawson,  
Crosson,  
Durant,  
Elliott,  
Gadberry,  
Garlington,  
Hammond,  
Hampton,  
Jordan,  
Kershaw  
King,  
Lanneau,  
Leitner,  
Lesesne,

Messrs. McCrady,  
Middleton,  
Mitchell,  
Pickens,  
Pitts,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Seabrook,  
Seigling,  
Sloan,  
Steele,  
Sullivan,  
Thornwell,  
Torre,  
Vance,  
Wagner,  
Wallace, and  
Witherspoon.

The Bill was then ordered to be sent to the Senate.

A Bill to establish certain roads, bridges and ferries, and to renew certain charters heretofore granted, was taken out of its order, was read the second time, and was ordered to be sent to the Senate.

Mr. MULLINS moved that the House depart from the general orders for the purpose of reading sundry Bills from the Senate. And the question being put, will the House agree thereto?

Tellers were called for and the House divided.

Messrs. McGowan and Lesesne were appointed to count the House, who reported 42 in the affirmative and 31 in the negative. So the House departed from the general orders.

The Senate sent to this House the following bills; which were read the first time:

A Bill to charter a Company to construct a Rail Road from the junction of the Columbia and Camden Branches of the South Carolina Rail Road to Branchville, South Carolina; and

A Bill to authorize the Laurens Rail Road Company to extend their road from Laurens Court House to some point on the North Carolina line in the direction of Asheville, were severally referred to the Committee on Incorporations.

A Bill to authorize aid, on the part of the State, to the Blue Ridge Rail Road Company in South Carolina, was referred to the Committee of Ways and Means;

A Bill in relation to the Trustees of the South Carolina College; which was referred to the Committee of Ways and Means.

A Bill to cede to the United States certain parcels of land as sites for Light Houses or Beacons; was referred to the Committee on Federal Relations.

A Bill to repeal, in part, the second section of an Act entitled "An Act to authorize and require the transfer of all papers appertaining to administration of estates now deposited in the office of the Secretary of State in Charleston to the Ordinary's Office for Charleston District;" and

A Bill to permit Joseph R. Breare, an alien, to apply for admission to practice in the Courts of Law and Equity in this State; were severally referred to the Committee on the Judiciary.

A Bill for requiring the Commissioners for clearing the Little Pee Dee River for the Districts of Marion and Horry, to make an annual report to the Court of Common Pleas and General Sessions; which was referred to the Committee on Internal Improvements.

The Senate sent to this House

Report of the Committee on Internal Improvements on so much of the Message of His Excellency the Governor, as relates to the public lands and canals; which was referred to the Committee on Internal Improvements.

## Report of the Committee on Finance and Banks :

On the petition of Daniel Williams, late Sheriff of York, to be refunded the amount of certain tax executions with which he has been charged by the Treasurer ; which was referred to the Committee of Ways and Means.

## SPECIAL ORDER.

The House then proceeded to the consideration of a Bill to authorize aid to the Blue Ridge Rail Road Company in South Carolina ; which had been made the special order of the day for this day at 6 o'clock, P. M.

On motion of Mr. TRENHOLM, the Special Order was discharged, and the said Bill was made the special order of the day for to-morrow, 17th inst., at half-past 12 o'clock, P. M.

## GENERAL ORDERS.

The following Bills were read the second time, and were ordered to be sent to the Senate :

A Bill to raise supplies for the year commencing October, one thousand eight hundred and fifty-three.

Mr. MIDDLETON, Chairman of the Committee of Ways and Means, gave notice that, on the third reading of this Bill, he will propose sundry amendments thereto.

A Bill to make appropriations for the year commencing October, one thousand eight hundred and fifty-three.

Mr. MIDDLETON, Chairman of the Committee of Ways and Means, gave notice that, on the third reading of this Bill, he will propose sundry amendments thereto.

A Bill to incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted.

A Bill to exempt the survivors of the Florida war from ordinary Militia duty.

The House suspended the consideration of the General Orders.

On motion of Mr. KERSHAW, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow at 11 o'clock, A. M.

The House resumed the consideration of the

## GENERAL ORDERS.

A Bill to authorize the sale or surrender of the charter of the Company for the Inland Navigation from Santee to Cooper River, was called for a second reading.

Mr. BOYKIN moved that the Bill be ordered to *lie on the table*, and the question being put, Will the House agree thereto? Tellers were



called for, and the House divided. Messrs. King and McGowan were appointed to count the House, and reported 30 in the affirmative, and 19 in the negative. So the Bill was ordered to *lie on the table*.

A Bill to establish a Rifle Battalion in the Parishes of St. Philip's and St. Michael's;

A Bill to amend an Act entitled "An Act to amend the charter of the Newberry Bank," were ordered to *lie on the table*.

The following Bills were considered and agreed to, and were ordered to be returned to the Senate :

A Bill to establish a Rifle Battalion in the Parishes of St. Philip's and St. Michael's;

A Bill to confer on Isaac Iseman and Marx Iseman certain rights and privileges in relation to a piece of land by them purchased ;

A Bill to vest the right and title of the State in and to a certain lot of land in the town of Darlington in Joseph Frank.

The following Bills were considered and agreed to, and were ordered to be sent to the Senate :

A Bill to amend an Act entitled "An Act to incorporate the town of Hamburg, and for other purposes," passed on the nineteenth day of December, one thousand eight hundred and thirty-five ;

A Bill to authorize the Bank of Newberry to increase its capital ;

A Bill to renew and amend the charters of certain towns and villages heretofore incorporated.

On motion of Mr. SEIGLING, the House was adjourned at forty-seven minutes after 12 o'clock, P. M., at night.

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## SATURDAY, DECEMBER 17, 1853.

At the hour to which the House was adjourned the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present the Journal of yesterday was read.

The Senate sent to this House

A Bill to amend the charter of the Fireman's Insurance Company of Charleston ;

A Bill to authorize the Spartanburg and Union Rail Road Company to extend their road from some point at or near Spartanburg Court House to some point on the North Carolina line in the direction of Asheville or Rutherford ; which were read the third time.

*Resolved*, That the Bills do pass, that the titles thereof be changed, that they be called Acts.

*Ordered*, That they be returned to the Senate.

The Senate returned to this House

A Bill to declare and amend the law in relation to words of limitation in wills and deeds; and

A Bill to provide funds for the erection of the new State Capitol; which were read the third time.

*Resolved*, That the Bills do pass, that the titles thereof be changed, that they be called Acts.

*Ordered*, That they be sent to the Senate.

The Senate returned to this House with their concurrence,

A resolution directing the Secretary of State to procure a copy of Dr. De La Howe's will, and to file it in his office.

Mr. SULLIVAN, from the Committee on Education, to whom had been referred

A Bill from the Senate to prohibit the collection of demands against the students of the Colleges and institutions of education in this State, made a report, which was ordered for consideration immediately; the Bill was then read the second time.

The Senate attended and joined the House in a ballot for President and Directors of the Bank of the State of South Carolina.

A Bill to prohibit the collection of demands against the students of the College and institutions of education in this State, having received two readings in this House,

Mr. MULLINS moved that the Bill be ordered to *lie on the table*. And the question being put, Will the House agree thereto? it was decided in the negative.

The Yeas and Nays were called for, and are as follows:

Yeas 30—Nays 56.

Those who voted in the affirmative are,

Messrs. Alexander,  
Allen,  
Blakeney,  
Boylston,  
Broyles,  
Butler,  
Carwile,  
Cash,  
Christie,  
Elliott,

Messrs. Ervin,  
Gadberry,  
Gourdin,  
Green,  
Hampton,  
A. B. Johnston,  
Jordan,  
King,  
Lanneau,  
Middleton,

Messrs. Mullins,  
Owens,  
Read,  
Steele,  
Thornwell,

Messrs. Tradewell,  
Trenholm,  
Wagner,  
Walker, and  
Witherspoon.

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker,

Messrs. Bates,  
Beaty,  
Boykin,  
Bradley,  
Brown,  
Byrd,  
R. E. Campbell,  
Cauthen,  
Clarke,  
Clawson,  
Crosson,  
Cureton,  
Ellis,  
Flagg,  
Fox,  
Garlington,  
Hammond,  
Harrison,  
Haskell,  
Hearst,  
Hope,  
Hudgens,  
Hunt,  
Hutson,  
W. R. Johnson,  
Kershaw,  
Lawton,  
Leitner,

Messrs. McGowan,  
McKnight,  
Manigault,  
Maybin,  
Melton,  
Moorer,  
Murray,  
O'Bryan,  
B. F. Perry,  
J. B. Perry,  
Pickens,  
Pitts,  
Poppenheim,  
Rice,  
Rosborough,  
Seabrook,  
Seigling,  
Sloan,  
Stokes,  
Sullivan,  
Thomson,  
Tillinghast,  
Tucker,  
Vance,  
Weatherly,  
Wescoat, and  
Winsmith.

The Bill was then ordered to be returned to the Senate.

Mr. SLOAN, from the Committee on Privileges and Elections, made a report on sundry petitions referred to them, praying the establishment of new places of election, the discontinuance of other places, and the appointment of Managers of Elections for the next General Election ; which was ordered for consideration on Monday.

Mr. HEARST, from the Committee on Education, to whom was referred A Bill from the Senate in relation to the Trustees of South Carolina College, made a report; which was ordered for consideration immediately. The Bill was read the second time, and was ordered to be returned to the Senate.

Mr. WAGNER, from the Committee of Ways and Means, made a report on .

A Bill to authorize aid to the Blue Ridge Rail Road in South Carolina; which was, with the Bill, made the special order of the day at half-past 12 o'clock, M.

Mr. LEITNER, from the Committee on Internal Improvements, made reports

On the report of the Senate Committee on so much of the Governor's Message as relates to Public Lands and Canals;

On a Bill from the Senate, to require the Commissioners for cleaning out Little Pee Dee River, for the districts of Marion and Horry, to make an annual report to the Court of Common Pleas and General Sessions; which said reports were severally ordered for consideration on Monday.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports; which were severally ordered for consideration on Monday;

On the report of the Comptroller General;

On the annual report of the President and Directors of the Greenville and Columbia Rail Road Company; which were severally ordered to be printed;

On a Bill to extend the time for securing the capital stock and for organizing the Western Bank of South Carolina, at Anderson;

On the report of the Senate's Committee on the petition of William Brisbane; and

On the report of the Senate's Committee on the Transient Poor Fund of Georgetown.

Mr. B. J. JOHNSON, from the Committee on Vacant Offices, made a report on Vacant Offices, which was ordered for consideration on Monday.

Mr. READ, from the Special Joint Committee, made a report upon the contingent accounts of his Excellency the Governor, which was ordered for consideration on Monday.

Mr. CROSSON, from the Committee on Incorporations, to whom was referred

A Bill from the Senate, to charter a Company to construct a Rail Road from the junction of the Camden and Columbia Branches of the South Carolina Rail Road, to Hamburg, South Carolina; and

Mr. J. B. PERRY, from the same Committee, to whom was referred

A Bill from the Senate, to authorize the Laurens Rail Road Company

to extend their Road from Laurens Court House to the North Carolina line, in the direction of Asheville, severally made reports; which were severally ordered for consideration on Monday.

Mr. MITCHELL, from the Committee on Federal Relations, to whom was referred

A Bill to cede to the United States certain parcels of land as sites for light houses and beacons, made a report, which was ordered for consideration on Monday.

### SPECIAL ORDER.

The House then proceeded to the consideration of

A Bill to authorize aid to the Blue Ridge Rail Road in South Carolina, and

A Bill from the Senate to authorize aid to the Blue Ridge Rail Road in South Carolina, which said Bills had been made the special order of the day for this day, at half-past 12 o'clock, M.

A Bill to authorize aid to the Blue Ridge Rail Road in South Carolina, was ordered to *lie on the table*.

A Bill from the Senate to authorize aid to the Blue Ridge Rail Road in South Carolina, was read a second time, and the question being put—shall this Bill be ordered to be returned to the Senate?

The yeas and nays were called for, and are as follows:

Yeas, 48—Nays, 61.

Those who voted in the affirmative are:

Hon. JAMES SIMONS, Speaker, and	
Messrs. Alexander,	Messrs. Hearst,
Blum,	Howell,
Brown,	Hunt,
Broyles,	B. J. Johnson,
Burnet,	Jordan,
Butler,	King,
J. B. Campbell,	Lanneau,
Carwile,	Lesesne,
Cruikshank,	McCrary,
Elliott,	McGowan,
Garlington,	Maxwell,
Gourdin,	Middleton,
Hammond,	Mitchell,
Hampton,	Munro,
Harrison,	B. F. Perry,
Haskell,	Pickens,

Messrs. Pitts,  
         Poppenheim,  
         Porcher,  
         Read,  
         Reynolds,  
         Seabrook,  
         Seigling,  
         Sloan,

Messrs. Steele,  
         Thompson,  
         Torre,  
         Tradewell,  
         Trenholm,  
         Vance, and  
         Wagner.

Those who voted in the negative are :

Messrs. Allen,  
         Bates,  
         Beaty,  
         Blakeney,  
         Boykin,  
         Boylston,  
         Bradley,  
         R. E. Campbell,  
         Cauthen,  
         Cash,  
         Charles,  
         Christie,  
         Clarke,  
         Clawson,  
         Crosson,  
         Cureton,  
         Dantzler,  
         Duncan,  
         Durant,  
         Ellis,  
         Ervin,  
         Felder,  
         Flagg,  
         Fox,  
         Gadberry,  
         Green,  
         Hope,  
         Hudgens,  
         Hutson,  
         W. R. Johnson,  
         A. R. Johnston,

Messrs. Kershaw,  
         Leitner,  
         McBee,  
         McKnight,  
         Manigault,  
         Maybin,  
         Melton,  
         Mobley,  
         Moorer,  
         Morgan,  
         Mullins,  
         Murray,  
         O'Bryan,  
         Owens,  
         Patterson,  
         J. B. Perry,  
         Rice,  
         Rosborough,  
         Springs,  
         Stokes,  
         Sullivan,  
         Thornwell,  
         Tillinghast,  
         Tucker,  
         Walker,  
         Wallace,  
         Weatherly,  
         Wescoat,  
         Winsmith, and  
         Witherspoon.

On motion of Mr. READ, leave of absence was granted to Mr. Owens, a member from Barnwell, for the remainder of the Session.

On motion of Mr. MULLINS, business was suspended at 12 minutes past 3 o'clock, P. M., until 6 o'clock, P. M.

### RECESS.

When the SPEAKER resumed the Chair,

On motion of Mr. SULLIVAN,

A Bill to authorize the Laurens Rail Road Company to extend their Road from Laurens Court House to the North Carolina line, in the direction of Asheville, which had been ordered for consideration on Monday, was taken up; was ordered for consideration immediately; was read the second time, and was ordered to be returned to the Senate.

Mr. J. B. CAMPBELL, from the Committee on Claims, made reports

On the report of the Senate's Committee on the claim of J. W. Hennegan;

On the report of the Senate's Committee on the claim of John H. Williams;

On the account of A. Palmer;

On the report from the Senate on the account of P. A. Chazal;

On the report of Senate Committee on the account of the Pee Dee Times;

On the account of Lewis Jones;

On the report of the Senate's Committee on the account of Dr. J. Ford Prioleau;

On the account of William Youmans;

On the report of the Senate's Committee on the account of Dr. T. J. Steele;

On the account of Dr. A. Myers;

On the report of the Senate's Committee on the account of Dr. James A. Renwick;

On the report of the Senate's Committee on the account of J. B. Holmes; and

On the account of Dr. Thomas K. Aldrich; and

On the petition of J. R. Poole; which were severally ordered for consideration on Monday.

On motion of Mr. MITCHELL, the House reconsidered their order on A Bill to cede to the United States certain parcels of land as sites for Light Houses and Beacons; and

The said Bill was ordered for consideration immediately; was read the second time, and was ordered to be returned to the Senate.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to amend the charter of the Greenville and Columbia Rail Road Company was read the second time; and was ordered to be returned to the Senate.

## SPECIAL ORDER.

The House then proceeded to the consideration of Report of the Committee on the Lunatic Asylum, on resolutions of inquiry as to the expediency of the removal of the Asylum from Columbia; and on the minority report of the same Committee on the same subject, which had been made the special order of the day for this day, at 11 o'clock, P. M.; and

On motion of Mr. HAMPTON, the special order was discharged, and the said reports were made the special order of the day for Monday next, at 12 o'clock, M.

The House resumed the consideration of the

## GENERAL ORDERS.

The following Bill was considered and agreed to, and was ordered to be returned to the Senate :

A Bill to declare a certain description of streams navigable.

A Bill to amend an Act, entitled, "An Act more effectually to prevent free negroes and other persons of color from entering this State, and for other purposes," passed December 19, 1835, was read the second time.

Mr. MANIGAULT proposed to amend the Bill by striking out all after the enacting words, and by inserting, "That free negroes and persons of color brought into this State in any vessel not bound to any port in this State, but which shall be driven into any port of this State by stress of weather, or compelled to enter therein by mutiny, or other cause, which makes said entry involuntary on the part of those controlling the said vessel, shall be, and the same are hereby declared, from and after the passing of this Act, exempt from the operation of an Act, entitled, 'An Act more effectually to prevent free negroes and other persons of color from entering into this State, and for other purposes,' passed on the nineteenth day of December, in the year of our Lord, one thousand eight hundred and thirty-five, and all other Acts subjecting such persons to imprisonment: *Provided*, that such free negroes and persons of color so brought into any port of this State, shall remain on board the vessel in which they shall be introduced, or such other place as may be selected for their accommodation by the mayor or chief magistrate of the nearest municipal corporation."

Mr. HUTSON moved that the Bill and Amendment be ordered *to lie on the table*, and the question being put, Will the House agree thereto? tellers were called for, and the House divided. Messrs. Sloan and Read were appointed to count the House, who reported forty-three in the affirmative and forty-five in the negative. So the House refused to lay the Bill and Amendment on the table.

Mr. BURNET moved to amend the Bill by adding as an additional section to the Bill the following :



"That the provisions of this Act, except those of the first section, shall not be applicable to any free negro or person of color, coming into any of the ports of this State in and on board of any British vessel, direct from any of the British West India Islands."

Mr. MITCHELL moved that the amendment be ordered to *lie on the table*. And the question being put, will the House agree thereto?

Tellers were called for, and the House divided. Messrs. Manigault and Mitchell were appointed to count the House, who reported 47 in the affirmative, and 26 in the negative, so the House ordered the amendment to *lie on the table*.

Mr. TORRE proposed as an amendment to the Bill, the following :

"That if at any time it shall appear to the Governor of this State that it is requisite for the public safety that the provisions of the act of 1835 should be enforced, he is hereby empowered to issue his proclamation to that effect, and after publication thereof in two newspapers printed in Charleston, the exemptions granted by this Act shall cease, and the provisions of the act of 1835, entitled 'An Act more effectually to prevent free negroes or other persons of color, from entering into this State, and for other purposes,' shall be enforced until the end of the next ensuing session of the General Assembly."

And the question being put, will the House agree thereto? Tellers were called for, and the House divided. Messrs. Torre and B. J. Johnson were appointed to count the House, who reported 42 in the affirmative, and 37 in the negative. So the amendment was adopted.

Mr. HUTSON moved the following as an amendment to the Bill, and it was adopted :

That this Act shall not go into operation until the Government of Great Britain shall consent that slaves of this State cast by the act of God upon the British coasts shall be delivered up to their owners upon demand.

On motion of Mr. B. J. JOHNSON, the further consideration of the Bill was indefinitely postponed.

The following Bills were considered and agreed to, and were ordered to be returned to the Senate :

A Bill to charter the Charleston and Savannah Railroad Company ;

A Bill to incorporate the Columbia and Hamburg Railroad Company ;

A Bill to incorporate the Branchville and Columbia Railroad Company ;

A Bill to amend an act to incorporate the Florida Steam Packet Company ; and

A Bill to authorize the Commissioners of Poor for St. Bartholomew's to sell certain lands, and for other purposes.

On motion of Mr. MULLINS, the House reconsidered the order made

on a Bill from the Senate to charter a company to construct a Railroad from the junction of the Columbia and Camden branches of the South Carolina Railroad to Hamburg, South Carolina, and the report of the Committee on Incorporations; the said Bill was ordered for immediate consideration, was read the second time, and was ordered to be returned to the Senate.

The following Bills were read the second time, and were ordered to be returned to the Senate :

A Bill to give the town council of Yorkville the power to issue the bonds of the corporation, and for other purposes ; and

A Bill to authorize the formation of the Newberry and Chester Railroad Company.

The following Bills were ordered to *lie on the table* :

A Bill to declare certain descriptions of streams navigable, and for other purposes ;

A Bill to amend 95th section of an act entitled “ An Act to reduce all acts and clauses of acts in relation to the Militia of this State to one act, and to alter and amend the same;

A Bill to alter and amend the 15th section of an act entitled “ An Act to reduce all acts and clauses of acts in relation to the Militia of this State to one act.”

A Bill to alter and amend an act entitled “ An Act to reduce all acts and clauses of acts in relation to the Militia of this State to one act.

A Bill to afford compensation to Commissioners of Roads, and for other purposes ;

A Bill to compel the Commissioners of Roads of Salem County, Sumter District, to open the road from Lynchburg to Lynch's creek, known as a part of the direct road leading by way of Muldrow's Crossing, from Sumterville to Darlington C. H., and conjointly with the Board of Commissioners of Darlington District, to bridge the stream of Lynch's creek at Durant's old Ferry ;

A Bill to alter and amend the License Laws of this State in certain particulars ;

A Bill to amend an act entitled “ An Act more effectually to prevent free negroes and other persons of color from entering this State, and for other purposes, passed December 19, 1835 ;

A Bill to charter a company to construct a Railroad from the junction of the Columbia and Camden branches of the South Carolina Railroad to Hamburg, South Carolina.

On motion of Mr. TUCKER, the House was adjourned at midnight.

## MONDAY, DECEMBER 19, 1853.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of Saturday's proceedings was read.

The following Message was received from the Senate, was concurred in, and an answer returned :

IN THE SENATE, December 17, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Claims of your House on the account of Dr. Milton Goudelock, by striking out twenty dollars, for the purpose of inserting ten dollars.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate sent to this House the report of the Committee on Claims and Grievances on the petition of W. Rice, Administrator of Laurence Ryan, late City Sheriff of Charleston ; which was referred to the Committee on Claims.

The Senate sent to this House

A resolution relating to publication of the Comptroller General's comparative statement of the Banks ;

A resolution for the transfer of certain books to the Secretary of State's Office ; which were severally ordered for consideration to-morrow.

The Senate sent to this House a Bill to extend the time for the sitting of the Court of Equity for Williamsburg to four days instead of two ; and the question being put, shall this Bill be rejected ? It passed in the affirmative.

The Senate returned to this House the following Acts, which were committed to the Committee on Engrossed Acts,

An Act to declare and amend the law in relation to words of limitation in Wills and Deeds ;

An Act to provide for the erection of the new State Capitol.

On motion of Mr. LAWTON, leave of absence was granted to Mr. Tillinghast for the remainder of the session.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the annual report of the Manchester Rail Road Company ;

On the report of the Investigating Committee on the Branch Bank at Camden ;

On the memorial of the City Council of Charleston on the transient poor fund ;

On the report of the Senate's Committee on the petition of G. H. Guerdard, executor of E. R. Lowndes ;

On the report of the Senate's Committee on the petition of Daniel Williams, Sheriff ;

On the report of the expenditure of the transient poor fund of Charleston ; which were severally ordered for consideration to-morrow.

Mr. BRADLEY, from the Medical Committee, made a report on the report of the Senate's Committee on the Memorial of the Faculty of the Medical College of South Carolina ; which was ordered for consideration to-morrow.

Mr. SULLIVAN, from the Committee on Education, made reports

On the report of the Senate's Committee on Message No. 2, of his Excellency the Governor ;

On the report of the Senate Committee on the petition of R. W. Gibbes on the Revolutionary Documents ;

On the petition of sundry citizens of Spartanburg in relation to Free Schools ;

On the presentment of the Grand Jury of Barnwell ; and

On a Bill from the Senate to provide a plan for Public Education ; which were severally ordered for consideration to-morrow.

Mr. SULLIVAN, from the same Committee, made a report

On the annual returns of the Commissioners of Free Schools ; which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence ; also

A report on the report of the Senate's Committee on the memorial of the College of Charleston ; which was ordered for consideration immediately, was agreed to, and was ordered to be returned to the Senate.

Mr. DANTZLER, from the Committee appointed to count the votes cast for President and Directors of the Bank of the State of South Carolina reported

That for President, C. M. Furman had received a majority. For Directors, Messrs. J. P. DeVeaux, W. A. Wardlaw, G. H. Walter, W. C. Dukes, J. H. Steinmeyer, Thomas Lehre, H. F. Strohecker, J. L. Gantt, R. G. Stone, Rice Dulin, P. M. Cohen, and C. J. Colcock, had received a majority.

Whereupon the SPEAKER announced that Mr. Furman had been elected President, and the above named gentlemen had been elected Directors of the Bank of the State of South Carolina.

Mr. MITCHELL, from the Committee on the Judiciary, made reports :

On a Bill from the Senate to regulate the fees of the City Sheriff of Charleston for serving writs of venire for Petit Jurors ; and

On a Bill to repeal in part the second section of an act entitled " An

Act to authorize and require the transfer of all papers appertaining to the administration of estates now deposited in the office of the Secretary of State, in Charleston, to the Ordinary's office for Charleston District;" which were severally ordered for consideration to-morrow.

Mr. MITCHELL, from the same Committee, made a report on the presentments of the Grand Juries of Charleston, Darlington, and Colleton on the subject of the Digest of Laws, and the establishment of a Penitentiary, which was ordered for consideration immediately, was ordered to be printed, and was made the special order of the day for this day at 7 o'clock, P. M.

On motion of Mr. MITCHELL, leave of absence was granted to Mr. Elliott for the remainder of the session.

Mr. BLUM, from the Committee on Accounts, made a report on the contingent accounts of the Upper Division, which was ordered for consideration to-morrow.

Mr. CRUIKSHANK obtained leave to withdraw the petition of J. M. Eason and Brother from the files of the House.

On motion of Mr. MIDDLETON, the Committee of Ways and Means were discharged from further consideration of

Memorial of sundry citizens praying a charter for the Bank of Charleston, with a capital of one million of dollars; and

So much of the Governor's Message, No. 1, as relates to the finances of the State, and to the Blue Ridge Railroad; and the same were severally ordered to lie on the table.

Mr. MIDDLETON introduced the following resolution, which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence :

*Resolved*, That the Comptroller General be required to transfer to the credit of the Treasury the sum of five thousand dollars heretofore appropriated for the improvement of the navigation of the Savannah river, and no longer required for that purpose.

Mr. SPRINGS introduced the following resolutions, which were ordered for consideration immediately, were agreed to, and were ordered to be sent to the Senate for concurrence :

*Resolved*, That the Agent of the Catawba Indians shall be hereafter required to make his report annually to both branches of the Legislature, instead of the Governor, as now required by law.

*Resolved*, That the accounts for Executive printing shall hereafter be audited by the Comptroller, and submitted to the Committee on Accounts.

Mr. MULLINS introduced the following resolutions :

*Whereas*, in many of the Judicial Districts of this State the accnmula-

tion of business in the Courts, renders the speedy and prompt administration of justice impossible, and whereas, the time necessarily consumed under the present arrangement of the Judicial Circuits by the Judges in attendance upon their respective Circuits renders it impossible for them to devote that time and labor essentially requisite for the due performance of their duties in the Court of Errors and the Court of Appeals :

*Be it therefore resolved*, That in the opinion of this Legislature, another Judicial Circuit ought to be created.

*Resolved, also*, That the Law Judges be requested to prepare a plan for the creation of another Judicial Circuit, and the necessary arrangement of those at present existing, and report the same to the Legislature upon the first day of the next session.

Mr. MULLINS moved their immediate consideration, which was agreed to.

Mr. J. B. CAMPBELL moved that the resolutions be referred to the Committee on the Judiciary, and the question being put, shall the resolutions be so referred? Tellers were called for, and the House divided. Messrs. Mullins and Tradewell were appointed to count the House, and reported 41 in the affirmative, and 28 in the negative. So the resolutions were referred to the Committee on the Judiciary.

Mr. KERSHAW obtained leave to withdraw the petition of Polk Robinson from the files of this House.

On motion of Mr. BOYKIN, leave of absence was granted to Mr. Kershaw from and after to-day.

On motion of Mr. CLAWSON, leave of absence was granted to Mr. Caution from and after to-day.

Mr. LESESNE obtained leave to withdraw the account of Dr. William Pettigrew from the files of this House.

Mr. ANDERSON obtained leave to withdraw the petition of Gbariel South from the files of this House.

Pursuant to notice and by leave of the House, Mr. HUTSON introduced the following resolution ; which was ordered for consideration to-morrow :

*Resolved*, That the 52d Rule of this House be and the same is hereby rescinded, provided that no bill shall be read after 12 o'clock, M., on the last day of the session.

Mr. J. B. CAMPBELL introduced the following resolution ; which was ordered for consideration immediately, and was agreed to, and was ordered to be sent to the Senate for concurrence :

*Resolved*, That the resolve of this House, of December, 1852, limiting the amount to be paid for printing the bank statements under A. A. 1840, be and the same is hereby repealed.

Mr. DUNCAN introduced the following resolutions; which were ordered for consideration immediately :

1. *Resolved*, That the Commissioners of Free Schools of the several Districts and Parishes shall be required annually to file a copy of their annual returns, accompanied with vouchers, in the clerk's office of said Districts and Parishes, subject to the inspection of Grand Juries as the proceedings of other boards now are.

2. *Resolved*, That the appropriation for the support of Free Schools is for the common benefit of all who come within the provisions of the law, and that any distribution of the fund by arbitrary divisions, without regard to the number of beneficiaries, is contrary to law, and that the fund, when insufficient to pay all the tuition bills, should be apportioned according to their respective amounts throughout each District and Parish.

On motion of Mr. THOMSON, the question upon the resolutions was divided, and the first resolution was adopted.

The question being put, Will the House agree to the second resolution? Tellers were called for, and the House divided. Messrs. Sullivan and Middleton were appointed to count the House, and reported forty-five in the affirmative and thirty-four in the negative. So the resolution was adopted.

The resolutions, being thus agreed to, were ordered to be sent to the Senate for concurrence.

The Senate returned to this House the following Bill; which was read the third time :

A Bill to extend the time for securing the capital stock and for organizing the Western Bank of South Carolina at Anderson.

*Resolved*, that the Bill do pass; that the title thereof be changed; that it be called an Act; ordered that it be sent to the Senate.

The Senate returned to this House

A Bill to alter the sittings of the Courts of Law on the Northern Circuit. The Bill was read the third time.

The title thereof was amended so as to read

A Bill to alter the sittings of the Courts of Equity for Charleston District.

*Resolved*, That the Bill do pass; that the title thereof be changed; that it be called an Act; ordered that it be sent to the Senate.

#### SPECIAL ORDER.

The House then proceeded to the consideration of the report of the Committee on the Lunatic Asylum, on resolutions of inquiry as to the expediency of the removal of the Asylum from Columbia; and of

The minority report of the same Committee on the same subject ; which reports had been made the special order of the day for this day at twelve o'clock, M.

Mr. HAMPTON moved that the report of the majority of the Committee be ordered to *lie on the table*. And the question being put, will the House agree thereto ? Tellers were called for, and the House divided. Messrs. B. F. Perry and Hampton were appointed to count the House, and reported 41 in the affirmative, and 49 in the negative. So the House refused to lay the report on the table:

The question being put, will the House agree to the report ?

On motion of Mr. BOYLSTON, the special order was suspended for a minute ; and

On motion of Mr. BOYLSTON, the order providing for the recess from 3 o'clock to 6 o'clock, P. M., was suspended for this day.

### SPECIAL ORDER.

The House resumed the consideration of the special order, and the question being put, will the House agree to the report ? It passed in the affirmative.

The Yeas and Nays were called for, and were as follows :

Yeas, 55—Nays, 45.

Those who voted in the affirmative, are

Messrs. Alexander,  
Allen,  
Anderson,  
Beaty,  
Blakeney,  
Boykin,  
Bradley,  
Brown,  
Broyles,  
Byrd,  
R. E. Campbell,  
Carwile,  
Cash,  
Cauthen,  
Charles,  
Christie,  
Clawson,  
Cooner,  
Crosson,

Messrs. Cureton,  
Duncan,  
Ellis,  
Felder,  
Fox,  
Gadberry,  
Garlington,  
Green,  
Harrison,  
Hearst,  
Hope,  
Hudgens,  
Hutson,  
Jordan,  
Kershaw,  
Lesesne,  
McBee,  
McGowan,  
Maxwell,



Messrs. Maybin,  
Mobley,  
Moorer,  
Munro,  
Murray,  
B. F. Perry,  
Pickens,  
Pitts,  
Rosborough,

Messrs. Seabrook,  
Steele,  
Sullivan,  
Thomson,  
Thornwell,  
Vance,  
Wallace, and  
Witherspoon.

Those who voted in the negative are :

Hon. JAMES SIMONS, Speaker, and

Messrs. Bates,  
Blum,  
Boylston,  
Burnet,  
Butler,  
J. B. Campbell,  
Clarke,  
Cruikshank,  
Durant,  
Elliott,  
Ervin,  
Flagg,  
Gourdin,  
Hammond,  
Hampton,  
Haskell,  
Howell,  
B. J. Johnson,  
W. R. Johnson,  
King,  
Lawton,  
Leitner,

Messrs. McCrady,  
Manigault,  
Melton,  
Middleton,  
Mitchell,  
Mullins,  
O'Bryan,  
J. B. Perry,  
Poppenheim,  
Porcher,  
Read,  
Reynolds,  
Seigling,  
Springs,  
Stokes,  
Torre,  
Tradewell,  
Trenholm,  
Tucker,  
Wagner,  
Wescoat, and  
Winsmith.

The report of the minority of the Committee was then ordered to *lie on the table*.

On motion of Mr. TORRE, business was suspended at twenty minutes past 3 o'clock, P. M., until 6 o'clock, P. M.

RECESS.

When the Speaker took the Chair, on motion of Mr. CROSSON, leave of absence was granted to Mr. A. C. Garlington.

The House then resumed the consideration of the

# GENERAL ORDERS.

On motion of Mr. LAWTON, leave of absence was granted to Mr. Seabrook.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Reports of the Committee of Ways and Means on the annual report of the Cheraw and Darlington Rail Road ;

On the resolution relating to a fund for deepening Charleston Harbor.

On the account of the Town Council of Beaufort with Transient Poor Fund.

Reports of the Committee on Public Buildings

On the presentment of the Grand Jury of Colleton ;

On the presentment of the Grand Jury of Charleston ;

On the petition of the Commissioners of Public Buildings of Lancaster ;

On the petition of the Commissioners of Public Buildings of Williamsburgh ;

On the memorial of the Commissioners of Public Building of Georgetown ;

On the petition of the Commissioners of Public Buildings of Chesterfield District ;

On the petition of the Commissioners of Public Buildings for Newberry District ;

Report of the Medical Committee on the memorial of the Medical College of South Carolina ; and

Report of the Committee on the Military on the report of the Major of Ordnance.

The following report was considered and agreed to, and was ordered to be returned to the Senate :

Report of the Committee on Roads and Public Buildings, on the Presentment of the Grand Jury of Darlington.

The following reports were agreed to :

Reports of the Committee on Public Buildings.

On the Presentment of the Grand Jury of Darlington ;

On the report of the Committee on Roads and Buildings, and the petition of the Commissioners of Public Buildings of Chesterfield ;

On the petition of the City Council of Charleston on the Jail.

Report of the Committee on Grievances, on the petition of the Town Council of Beaufort.

**The report of the Committee on Internal Improvements**

On the report of the Senate's Committee on so much of the Governor's Message as relates to Public Lands and Canals was considered, concurred in, and was ordered to be returned to the Senate.

A Bill to authorize the Comptroller General to transfer sixteen thousand dollars of the stock owned by the State in the South Carolina Railroad Company, and the South Western Railroad Bank to the Laurens Railroad Company, was read the second time, and was ordered to be returned to the Senate.

The Senate returned to the House the following Bills, which were read the third time :

A Bill to raise supplies for the year commencing October, one thousand eight hundred and fifty-three ;

A Bill to make appropriations for the year commencing October, one thousand eight hundred and fifty-three ;

A Bill to incorporate certain societies, associations and companies, and to amend the charters of others ;

A Bill to incorporate certain religious and charitable societies, and societies for the advancement of education, and to renew the charters of others heretofore granted ;

*Resolved*, That the Bills do pass, that the titles thereof be changed, that they be called Acts.

*Ordered*, That they be sent to the Senate.

The following Message was received from the Senate :

IN THE SENATE, December 19, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives.*

Senate asks leave of your House to amend "A Bill to alter the sittings of the Courts of Law on the Western Circuit, and the Court of Equity for Charleston District" by restoring to the Bill the several sections agreed to by Senate on the second reading as a substitute for the Bill as it came from the House, pursuant to the report of the Committee on the Judiciary of Senate, and which several sections were stricken out by the House on the third reading.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House refused to grant leave to the Senate to make the amendment proposed, and an answer was returned accordingly.

A Bill to establish certain Roads, Bridges, and Ferries, and to renew certain charters heretofore granted, was called for a second reading.

The Senate on the second reading of this Bill in that House, had added the following amendment thereto :

"That James Jones and Joseph J. Kennedy, assignees of Henry Shultz, and John McKinne, be and they are hereby authorized to collect the tolls prescribed by the 21st section of the Act to establish certain Roads, Bridges, and Ferries, passed the 19th day of December, 1848, from all persons passing from either side over the bridge across the Savannah River, at Hamburg and Augusta : provided, however, that nothing herein contained, shall, in any wise, impair or prejudice any right or property claimed by the City Council of Augusta, in respect to the one-half of the material structure of the said bridge within the territorial limits of this State," and the question being put, will the House agree to the amendment ? Tellers were called for, and the House divided. Messrs. Garlington and Boylston were appointed to count the House, and reported 36 in the affirmative and 31 in the negative. So the House agreed to the amendment.

The Bill was then read the third time.

*Resolved*, That the Bill do pass—that the title thereof be changed—that it be called an Act. Ordered that it be sent to the Senate.

### SPECIAL ORDER.

On motion of Mr. MITCHELL, the House proceeded to the consideration of the report of the Committee on the Judiciary, on certain presentments relating to a Penitentiary, and to a Digest of the Laws, which had been made the special order of the day for this day at 6 o'clock, P. M. ; and

On motion of Mr. MITCHELL, the special order was discharged, and the said report was made the special order of the day for to-morrow, 20th inst., at 12 o'clock, M.

The Senate returned to this House the following Bills, were read the third time :

A Bill to provide for the establishment of a general system of registration of births, deaths and marriages in this State ;

A Bill to allow William Langston to hawk and peddle in Union District, without the payment of the tax now imposed by law ;

A Bill to authorize the South Carolina Railroad Company to build a certain bridge over Wateree River ;

A Bill to vest the title of the State in certain escheated property in sundry persons therein mentioned ;

A Bill to provide for the measuring of lumber in the city of Charleston, and to create the office of Inspector thereof ;

A Bill to authorize the Bank of Newberry to increase its capital ;

A Bill to exempt the survivors of the South Carolina Volunteers in the Florida War, from ordinary militia duty ;

A Bill to amend an Act entitled "An Act to incorporate the town of Hamburg, and for other purposes;" passed 19th December, 1846.

A Bill to authorize the Commissioners of the Poor in Pickens, to sell certain lands, and for other purposes; and

A Bill to amend the law in relation to Weights and Measures.

*Resolved*, That the Bills do pass, that the titles thereof be changed, that they be called Acts. Ordered that they be sent to the Senate.

The Senate sent to this House the following Bills, which were read the third time :

A Bill to renew the charter of the Bank of Charleston ;

A Bill to authorize the Commissioners of the Poor of St. Bartholomew's to sell certain lands, and for other purposes ;

A Bill to incorporate the Branchville and Savannah Railroad Company ;

A Bill to charter a Company to construct a Railroad from the junction of the Columbia and Camden branches of the South Carolina Railroad to Hamburg, South Carolina ;

A Bill to charter the Charleston and Savannah Railroad Company ;

A Bill to give the Town Council of Yorkville the power to issue the bonds of the corporation, and for other purposes ;

A Bill in relation to the Trustees of the South Carolina College ;

A Bill to authorize the Laurens Railroad Company to extend their road from Laurens C. H., to some point on the North Carolina line in the direction of Asheville ;

A Bill to cede to the United States certain parcels of land as sites for light houses and beacons ;

A Bill to renew and amend the charter of the State Bank ;

A Bill to recharter the Bank of Camden, South Carolina ;

A Bill to renew the charter of the Bank of South Carolina ;

A Bill to recharter the Merchants' Bank of South Carolina, at Cheraw ;

A Bill to confer on Marx and Isaac Iseman certain privileges in relation to a piece of land by them purchased ;

A Bill to vest the right and title of the State in a certain lot of land in Darlington in Joseph Frank ;

A Bill to recharter the Bank of Hamburg, South Carolina ;

A Bill to incorporate the Central Bank of South Carolina ;

A Bill to establish a Rifle Battalion in the Parishes of St. Philip's and St. Michael's ;

A Bill to renew the charter of the Greenville and Columbia Railroad Company ;

A Bill to declare a certain description of streams navigable ;

A Bill to amend an Act to incorporate the Florida Steam Packet Company ;

A Bill to incorporate the Bank of Hamburg, South Carolina.

*Resolved*, That the Bills do pass, that the titles thereof be changed, that they be called Acts. Ordered that they be returned to the Senate.

A Bill to prohibit the collection of demands from the students of the Colleges and Institutions of Education of this State, was read the third time. The House upon the second reading of the Bill had amended, by striking out all after the words "entered up," in the second section; and also by striking out all after the words "intent of this Act," in the third section; which parts of the said sections had been restored by the Senate, on the third reading of the Bill.

On motion of Mr. HAMPTON, the House insisted on making the proposed amendments to the said sections; and

On motion of Mr. HAMPTON, a message was sent to the Senate asking leave to make the amendments proposed by the House.

On motion of Mr. SLOAN, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow, at 11 o'clock, A. M.

On motion of Mr. THORNWELL, the House was adjourned at 55 minutes after 12 o'clock, Midnight.

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TUESDAY, DECEMBER 20, 1853.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the journal of yesterday's proceedings was read.

The Senate returned to the House with their concurrence

Reports of the Committee on Claims,

On the account of Dr. Milton Goude-lock;

On the account of Dr. J. J. McCants;

On the account of Dr. C. H. Durham;

On the account of Dr. W. J. Dargan;

On the account of Dr. H. W. Blanding;

On the account of Dr. T. H. Gregorie;

On the account of Dr. James Willingham;

On the account of Dr. W. Pickens Black;

On the account of Dr. J. S. Lawton;

On the further account of Dr. J. S. Lawton;

On the account of Dr. R. S. Mellett;

On the account of Isaac Vansant;

On the account of Dr. J. W. McNeil;

On the account of McCarter & Co.;

On the petition of O. Richardson;

On the petition of L. W. McCants.

On the petition of L. W. McCants;

On the account of the Clerk of the Court of Appeals at Columbia;

On the account of the Keowee Courier;

On the account of Drs. Lawrence & Johnson.

The Senate returned to this House, with concurrence, resolutions

Directing the Comptroller to transfer \$5000 to the credit of the Treasury,

Providing for a copy of the Pay Rolls of the South Carolina line, and the placing of the same in the Secretary of State's Office;

Providing for the printing and distribution of Dr. Thornewell's letter to the Governor on the subject of Public Education.

The Senate sent to this House for concurrence the report of the Committee on the Military and Pensions on the petition of 23d regiment, S. C. M., in relation to certain vacant lots in the town of Columbia, which was ordered to *lie on the table*;

Report of the Committee on Claims on the account of William F. Arthur, for incidental expenses of the State House, which, by unanimous consent, was ordered to be considered immediately; was concurred in, and was ordered to be returned to the Senate;

Report of the same Committee on the account of the Clerk of the Senate, which was unanimously ordered to be considered immediately, was concurred in, and was ordered to be returned to the Senate.

The Senate sent to this House for concurrence the following resolutions, which were ordered for consideration immediately, were concurred in, and were ordered to be returned to the Senate:

For the distribution of Judge Evans' digest of the Road Law.

For paying the salary of Solicitor to Henry McIver, Esq.

The Senate returned to this House with their concurrence

Reports of the Medical Committee,

On the account of Drs. Turpin and Jones;

On the account of A. and S. A. Evans;

Report of the Committee on Public Buildings

On the petition of the Commissioners of Public Buildings of Abbeville;

Reports of the Committee of Ways and Means

On the petition of A. A. Bonnett;

On the petition of P. M. Bland;

On the report of the State Proxies in the South Carolina Rail Road Company;

On the petition of D. A. Bonnett;

Reports of the Committee on Claims

On the account of D. M. Kelly;

On the petition of James Bonds;

On the account of Dr. James W. Stephens;

On the account of Dr. T. W. Thompson.

The Senate sent to this House for concurrence

Report of the Special Committee on the Executive Contingent Accounts, which was considered by unanimous consent, was concurred in, and was ordered to be returned to the Senate.

Report of the Committee on Claims and Grievances

On the additional account of William F. Arthur, for articles furnished for the use of the Senate, by unanimous consent was considered immediately, was concurred in, and was ordered to be returned to the Senate.

The SPEAKER laid before the House the account of R. S. Bryan with the Clerk of the House, which was referred to the Committee on Claims.

The following message was received from the Senate, was concurred in, and an answer was returned:

IN THE SENATE, December 19, 1853.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate asks leave of your House to amend the report of the Committee on Education of your House, on the annual returns of the Commissioners of Free Schools, by striking out the word "Sumter," for the purpose of inserting "Claremont," and by adding to the synopsis, "St. Thomas and St. Dennis, one school, one teacher, 17 scholars, and \$600 expended," and further by filling the blanks opposite "St. Helena" with "one school, one teacher, 17 scholars, amount expended, \$600."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was received from the Senate:

IN THE SENATE, December 20, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate grants leave to your House to amend "A Bill to prohibit the collection of demands against Students of the College and Institutions of Education in this State" by striking out in the second section all after the words "entered up," and also to amend the said Bill by striking out in the third section all after the words "intent of this Act."

By order of the Senate,

ROBT. F. W. ALLSTON, President.



A Bill to prohibit the collection of demands from Students of Colleges and Institutions of Education in this State, having received three readings in this House. *Resolved*, That the Bill do pass; that the title thereof be changed; that it be called an Act. *Ordered*, That it be returned to the Senate.

The following message was received from the Senate :

IN THE SENATE, December 18, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate respectfully informs your House that the Honorable Thomas F. Drayton has been appointed on the part of the Senate a Commissioner of the New State Capitol, in the place of Professor Williams, who has resigned.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The SPEAKER announced to the House that a vacancy had occurred in the Commissioners of the New State Capitol, on the part of this House, by the election of Hon. L. M. Keitt to the Congress of the United States.

On motion of Mr. J. B. CAMPBELL, ordered that the Chair be requested to fill the vacancy.

Whereupon the SPEAKER appointed Professor McCay as a Commissioner of the New State Capitol on the part of this House, and

A message was sent to the Senate informing that body of the said appointment.

Mr. SULLIVAN, from the Committee on Education, made a report on so much of the message of his Excellency the Governor, as relates to indexing the public records, and to Mr. John S. Green's letter, which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

The following message was received from the Senate :

IN THE SENATE, December 20, 1853.

*Mr. Speaker and Gentlemen of the  
House of Representatives :*

Senate insists on asking leave of your House to amend "A Bill to alter the sittings of the Courts of Law on the Western Circuit and the Court of Equity for Charleston District, by restoring to the Bill the several sections agreed to by the Senate, on a second reading, as a substitute for the Bill as it came from the House, pursuant to the report of the Committee on the Judiciary of Senate, and which several sections were stricken out by the House on the third reading, and have appointed Messrs. Moses, Chesnut,

and Cannon a Committee of Free Conference, and respectfully request your House to appoint a similar Committee to meet with the Committee on the part of the Senate,

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. B. F. PERRY, the House concurred in so much of the message as relates to a Committee of Conference;

Whereupon the SPEAKER appointed Messrs. B. F. Perry, McGowan, Gadberry, Sullivan and Thomson, of the Committee on the part of this House.

Mr. REYNOLDS, from the Charleston Delegation, made a report

On the petition and counter petition relating to Little Comings Creek; which was ordered for consideration immediately, and was agreed to.

Mr. HUTSON, from the Committee on the Judiciary, made report a on resolutions in relation to an additional circuit; which was ordered for consideration immediately, and was ordered to *lie on the table*.

Mr. MIDDLETON, from the Committee of Ways and Means, made reports

On the report of the Committee to examine the condition of the Bank of the State of South Carolina at Charleston;

On the report of the Senate Committee on the account of the expenditure of the Transient Poor Fund of Georgetown;

On the report of the Senate's Committee on the petition of Margaret Moore;

On the petition of the President and Directors of the Bank of Newberry, South Carolina; and the said papers were severally ordered to *lie on the table*.

Mr. J. B. CAMPBELL, from the Committee on Claims, made a report on the account of R. S. Bryan with the Clerk of the House; which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence;

Also a report on the report of the Senate's Committee on the petition of William Rice, administrator of Lawrence Ryan; which was ordered for consideration immediately, was concurred in, and was ordered to be returned to the Senate.

Mr. BYRD obtained leave to withdraw the petition of James Windham from the files of this House.

The following message was received from the Senate:

IN THE SENATE, Dec. 20, 1853.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate asks leave of your House to amend a Bill to make appropriations for the year commencing October, one thousand eight hundred and fifty-three, by striking out thereof the following, to wit: "For the support of the Transient Poor of Beaufort one hundred dollars, to be expended by the Town Council of that place, and accounted for by them to the General Assembly."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. B. J. JOHNSON, the House refused to grant leave, and an answer was returned accordingly.

The report of the Committee on the Military on the petition of John G. Bowman was considered and agreed to, and was ordered to be sent to the Senate for concurrence.

## SPECIAL ORDER.

The House then proceeded to the consideration of the report of the Committee on the Judiciary on sundry presentments in relation to the establishment of a Penitentiary, and to a Digest of the Laws of this State, which had been made the special order of the day for this day at 12 o'clock, M.

The report was considered and agreed to, and was ordered to be sent to the Senate for concurrence.

Mr. TRADEWELL, from the Committee on Claims, made a report on the petition of James Bonds; which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence.

Also a report on so much of the Message of his Excellency the Governor as relates to the letter of Count DeChoiseul and the Legionaires of Luxembourg, recommending the reference of the matters therein contained to a special Committee, to be appointed by the House; which was ordered for consideration immediately, and was agreed to.

Whereupon the SPEAKER appointed Hon. Edward Frost, Hon. Robert Munro, and I. W. Hayne, Esq., of the Commission.

The following Message was received from the Senate, was concurred in, and an answer returned :

IN THE SENATE, December 20, 1853.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate respectfully insists on asking leave of your House to amend "A

Bill to make appropriations for the year commencing in October, A. D., 1853," by striking out thereof the following, to wit: "For the support of the transient poor of Beaufort, one hundred dollars, to be expended by the Town Council of that place, and accounted for by them to the General Assembly."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. SULLIVAN, the resolution to amend the 52nd Rule of this House was taken up, and the question being put, Will the House agree to the resolution? Tellers were called for, and the House divided.

Messrs. B. F. Perry and Allen were appointed to count the House, and reported 49 in the affirmative and 8 in the negative. So the resolution was adopted, two-thirds of the members present agreeing thereto.

The Senate sent to this House the following Bill; which was read the third time:

A Bill to authorize the Comptroller General to transfer sixteen thousand dollars of the stock owned by the State in the South Carolina Rail Road Company and the South Western Rail Road Bank to the Laurens Rail Road Company.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act.

*Ordered*, That it be returned to the Senate.

The following Message was received from the Senate:

IN THE SENATE, Dec. 20, 1853.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate asks leave of your House to amend a Bill to establish certain roads, bridges and ferries, and to renew certain charters heretofore granted, by adding the following as an additional section, to wit: "That the seventh and twentieth sections of an Act to establish certain roads, bridges and ferries, and to amend the law respecting Commissioners of Roads in certain particulars, passed on the sixteenth day of December, in the year of our Lord one thousand eight hundred and fifty-two, providing for the opening of two public roads in York District, be and the same are hereby so amended that the said roads are declared to be private paths, and shall be kept in repair as provided by law for keeping in repair roads of that description; *Provided*, That those who are required to work on said private paths are hereby declared to be exempt from common road duty."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House granted leave to the Senate to make the amendment in question, and an answer was returned accordingly.

The following Message was received from the Senate :

IN THE SENATE, December 20, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully asks leave of your House to amend a Bill, the amendment proposed by your House as an additional section to a Bill to incorporate certain Societies, Associations and Companies, and to renew and amend the charters of others, by adding the following, to wit: "Provided, that the assent of the City Council of Charleston be first had and obtained before the said company shall proceed to open the streets of the City for the laying of their pipes."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. BLUM, the House granted leave to the Senate to make the amendment proposed, and an answer was returned accordingly.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The following reports were ordered to *lie on the table*:

Report of the Committee on Internal Improvements

On the petitions relating to Cattle Creek and to Tinker's Creek.

Report of the Committee on Roads, Bridges and Ferries

On the petition and counter petition relating to a new road in Abbeville.

Reports of the Committee on Internal Improvements

On the petitions of sundry citizens on the Wateree River relating to the Santee Canal;

On the counter memorial of citizens of St. John's and St. Stephen's, relating to the Santee Canal.

The following reports were considered and agreed to:

Report of the Committee on the Military

On the petition of Lewis Croxton.

Report of the Committee on Grievances

On the presentment of the Grand Jury of Marlboro', October Term, 1853.

Report of the Committee on the Judiciary

On the petition of James Campbell.

Reports of the Committee on Internal Improvements

- On the petition relating to the navigation of Pacolet River;
  - On the petition of S. & P. P. Martin;
  - On the petition relating to Indian Creek;
  - Reports of the Committee on Claims
  - On the account of Charles Beck;
  - On the petition of Gabriel South;
  - On the account of Dr. William Pettigrew;
  - On the account of W. J. Randolph;
  - On the account of Gaillard & Aiken, which Mr. Boylston obtained leave to withdraw;
  - On the memorial of J. W. Collier;
  - On the petition of J. B. Atwood;
  - On the account of E. A. Bronson;
  - On the account of John L. McLaurin;
  - On the account of the Courier Office;
  - On the petition of S. J. Bradley.
  - Report of the Committee on District Officers and Offices
  - On the petition of the Commissioners of Poor of Lexington.
  - Report of the Committee on Agriculture
  - On the petition of J. B. Campbell.
  - Report of the Committee on Internal Improvements
  - On a petition from Edgefield against the repeal of the law concerning Horse Creek.
  - Reports of the Committee on Incorporations
  - On a petition from Orangeburg in relation to Good Land Swamp;
  - On the petition from Spartanburgh, praying an amendment of the charter of that town.
- The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :
- Report of the Committee on the Judiciary
  - On the petition of Julius J. Bartlett.
  - Reports of the Committee on Claims
  - On the account of R. W. Gibbes;
  - On the account of Dr. Henry Winthrop;
  - On the account of R. S. Bailey;
  - On the account of V. Little;
  - On the account of A. S. Willington & Co.;
  - On the account of the Charleston Mercury;
  - On the account of Dr. D. W. Lamb;
  - On the account of Charles W. Hodges;
  - On the account of Dr. J. L. Douglas;
  - On the account of J. O. Hagood;

On the account of Dr. W. F. Holmes ;  
 On the account of the Anderson Gazette ;  
 On the account of Gaillard and Aiken ;  
 On the account of J. V. and W. H. Trimmier ;  
 On the account of R. M. Stokes ;  
 On the account of H. Nelson Wheaton ;  
 On the account of R. J. Gilliland ;  
 On the account of W. F. Durisoe ; and  
 On the account of the Newberry Sentinel.

Report of the Committee on the Legislative Library on the resolutions concerning the distribution of Tuomey's 'Geological Survey.

The following report was considered, was concurred in, and was ordered to be returned to the Senate :

Report of the Committee on Claims and Grievances on the petition of John G. Bowman.

The following resolutions were ordered to lie on the table :

Resolution calling on the Governor for information concerning the Ordinance Department ;

Resolution for a Committee to nominate President and Directors of the Bank of the State of South Carolina.

The report of the Committee on Accounts on the contingent accounts of the Upper Division was considered, was agreed to, and was ordered to be sent to the Senate for concurrence.

The following Message was received from the Senate :

IN THE SENATE, Dec. 20, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate respectfully asks leave of your House to amend the report of the Medical Committee of your House on the memorial of the Medical College of South Carolina, by adding thereto the following proviso, to wit : "*Provided, That hereafter the Faculty of said College shall receive and instruct, free of charge, one student from each Congressional District of this State, to be selected and recommended by the Governor of this State.*"

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The House granted leave to the Senate to make the amendment proposed, and an answer was returned accordingly.

The report of the Committee on Incorporations on the petition of J. J. O'Connell and others ; and

The report of the Committee on Pensions on the petition of Theophilus Wilson were ordered to lie on the table.

Mr. B. F. PERRY, from the Committee of Free Conference on a Bill to alter the sittings of the courts of law in the Northern Circuit, reported that they recommend the adoption of the Senate's amendments, with certain alterations, which had met the views of the Committees of the House and of the Senate; and

On motion of Mr. B. F. PERRY, the report was agreed to, and the House granted leave to the Senate to make the amendments proposed.

The Senate sent to this House

The report of the Committee on Accounts on the contingent accounts of the Lower Division; which was considered, was agreed to, and was ordered to be returned to the Senate.

Mr. McGOWAN introduced the following resolution, which was ordered to be considered immediately, was agreed to, and was ordered to be sent to the Senate for concurrence:

*Resolved*, That the office of Major of Ordnance be, and the same is hereby abolished, to take effect on the fourth day of July next, and that the Major of Ordnance shall receive for his services until the period aforesaid the sum of five hundred dollars.

Mr. REYNOLDS offered the following resolution, which was ordered for consideration immediately, was agreed to, and was ordered to be sent to the Senate for concurrence:

*Resolved*, That upon the receipt by the Governor of the Maps of the State, subscribed for at the late session of the Legislature, the Governor be requested to dispose of the same as follows: one to the Clerk of the Court of each Judicial District; one to each member of this General Assembly; one to such Public Libraries as his Excellency shall select; and the residue, if any, to remain subject to the further direction of the Legislature.

A resolution in relation to the daily sessions of the House was ordered to lie on the table.

Report of the Committee on Incorporations

On the petitions of sundry citizens of Ninety-Six, and the counter petition of W. L. Anderson and others was ordered to lie on the table.

The following reports were considered and agreed to:

Report of the Committee on Incorporations,

On the petition of the Town Council of Summerville;

Report of the Committee on Pensions,

On the petition of Milly Ward;

Report of the Committee of Ways and Means,

On the annual report of the Bank of the State of South Carolina;

Report of the Committee on the Military,

On the petition of William Glaze;

Reports of the Committee of Ways and Means,



On the petition of P. M. Bland ;

On the memorial of Merchants for the re-charter of the Bank of Charleston.

The following reports were considered, were agreed to, and were ordered to be sent to the Senate for concurrence :

Report of the Committee on the Lunatic Asylum on the Governor's Message No. 1.

Report of the Committee on Pensions,

On the petition of Mary Brooks ;

Reports of the Committee of Ways and Means,

On the annual report of the Laurens Rail Road Company ;

On so much of the Governor's message, No. 3, as relates to the distributive share of this State in the land fund of the United States ;

On the petition of J. E. McDonald ; and

Report of the Committee on the Judiciary in the matter of Sullivan's Island and David Truesdell.

The report of the Committee on Finance and Banks,

On the petition of Jephtha Dyson, was considered, was concurred in, and was ordered to be returned to the Senate.

On motion of Mr. SLOAN, it was ordered that the resolution providing for a recess of this House be rescinded.

The following message was received from the Senate, was concurred in, and an answer was returned accordingly :

IN THE SENATE, Dec. 20, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate respectfully asks leave of your House to amend the second of the resolutions from your House concerning the printing and partial distribution of the accounts of the present or any future agent of the Catawba Indians, by striking out the words "not only to make report to the Governor annually, as he is by law required to do, but," for the purpose of inserting the following, to wit: "To make his report to both Branches of the Legislature."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The report of the Committee on Vacant Offices, and the report of the Committee on Privileges and Elections, were considered and agreed to, and were ordered to be sent to the Senate.

The following reports were considered and agreed to :

Reports of the Committee on District Offices and Officers,

On the report of the Solicitor of the Southern Circuit; and  
On the report of the Solicitor of the Northern Circuit;  
Report of the Committee on the Legislative Library,  
On so much of the Governor's message, No. 3, as relates to the petition  
of Robert Mills.

Report of the Committee on the State House and Grounds,  
On message No. 1 of his Excellency the Governor.  
Report of the Committee on Public Buildings  
On the report of the Senate's Committee on the Jail of Colleton.  
Report of the Committee on Incorporations  
On the petitions to renew the Act of incorporation of the Goose Creek  
Baptist Church;

On the petitions  
Of the Marine Fire Engine Company;  
Of the Town Council of Georgetown;  
Of the South Carolina Insurance Company; and  
Of the German Settlement Society.  
Report of the Committee on the Military  
On the petition of the Pendleton Delegation.  
Reports of the Committee on Incorporations  
On the petition of the Charleston Fire Company of Axemen; and  
On the petition of the Board of Fire Masters of Charleston.  
On the petition of the Philharmonic Society, and the South Carolina  
Mechanics' Association.

Reports of the Committee of Ways and Means  
On the petition of J. E. McDonald and T. F. Sullivan;  
On the report of the Senate's Committee on the petition of William  
Brisbane;

On the report of the Senate's Committee on the Transient Poor Fund of  
Georgetown;

On the annual report of the Greenville and Columbia Rail Road Company.  
Report of the Special Joint Committee on the contingent accounts of his  
Excellency the Governor.

Report of the Committee on Claims  
On the report of the Senate's Committee on the petition of John H.  
Williams.

Reports of the Committee of Ways and Means  
On the memorial of the City Council of Charleston respecting the tran-  
sient poor fund;

On the account of the expenditure of the transient poor fund of  
Charleston.

Reports of the Committee on Education

On the petition from Spartanburg in relation to Free Schools;

On the report of the Senate's Committee on the petition of R. W. Gibbes in the matter of the Revolutionary Documents;

On the presentment of the Grand Jury of Barnwell, Fall Term, 1858.

The following reports were considered and agreed to, and were ordered to be sent to the Senate for concurrence :

Report of the Committee on Roads, Bridges and Ferries.

On the return of the Commissioners in the matter of the streets of Moultrieville.

Reports of the Committee on Education

On the petition of R. W. Gibbes, and his Revolutionary Documents;

On the report of the Commissioners of Deaf, Dumb and Blind;

On the report of the Attorney General, and the debt of Barnard E. Bee to the Ludlam School Fund.

Report of the Committee on Internal Improvements

On the report of the Commissioners of Public Works.

Reports of the Committee on Claims

On the account of the Abbeville Banner;

On the account of John DeLorme;

On the account of R. W. Gibbes & Co.;

On the account of Dr. T. A. Dargan;

On the account of T. J. LaMotte;

On the account of E. DeLeon and DeLeon & Carlisle;

On the account of Dr. J. H. Pooser;

On the account of J. I. Bonner;

On the account of Dr. W. C. Cauthen;

On the petition of William Rice, Administrator of Ryan;

On the account of B. F. McGilvary;

On the account of J. W. Henegan;

On the account of William Huff;

On the account of T. J. Warren;

On the account of Dr. Llewellyn Hobbs;

On the account of T. J. Workman;

On the account of Bryan & McCarter;

On the petition of James A. Graham;

On the account of Dr. R. L. Hart;

On the account of the Black River Watchman;

On the petition of B. Perry;

On the account of J. G. McKissick;

On the account of Dr. A. W. Bethea; and

Report of the Abbeville Delegation

On the report of the Trustees of the estates of Dr. John De La Hews.

Report of the Committee on the Military

On the petition of A. Leggette.

Report of the Committee on Roads, Bridges and Ferries

On resolutions of inquiry referred to them.

Report of the Committee of Ways and Means

On the petition of Daniel Williams, Sheriff.

Reports of the Committee on Claims

On the account of A. Palmer :

On the account of Lewis Jones ;

On the account of William Youmans ;

On the account of Dr. A. Myers ;

On the account of Dr. T. K. Aldrich ;

On the petition of J. R. Pool.

Reports of the Committee of Ways and Means

On the annual report of the Wilmington and Manchester Rail Road Company ;

On the Report of the Investigating Committee of the Branch Bank at Camden.

The following reports were considered, were concurred in, and were ordered to be returned to the Senate :

Report of the Committee on the Judiciary

On the communication of J. S. G. Richardson.

Reports of the Committee on Claims and Grievances

On the account of W. W. Purse ;

On the petition of Charles Beck ;

On the account of Edward D. Smith ;

On the claim of the Sumter Banner ;

On the account of James Powell ;

On the account of J. Lawton & Co. ;

On the account of A. W. Kennedy.

Report of the Committee on Finance and Banks

On the petition of John E. Carew.

Reports of the Committee on Claims and Grievances

On the account of J. W. Henegan ;

On the account of P. A. Chazal ;

On the account of the Pee Dee Times ;

On the account of Dr. J. Ford Prioleau ;

On the account of Dr. T. J. Steele ;

On the account of Dr. J. A. Renwick ;

On the claim of J. B. Holmes.

Report of the Committee on Finance and Banks

On the petition of G. Henry Guerard, executor of E. R. Lowndes.

Report of the Committee on the College, Education and Religion

On Message No. 1 of his Excellency, the Governor.

The following reports were ordered to *lie on the table*:

Reports of the Committee on Education

On the petition of the Faculty of the College of Charleston;

On the petition from Greenville in relation to the Free School System.

Report of the Committee on the Military

On the resolutions of inquiry referred to them.

A resolution instructing the Clerks of the Senate and of the House to publish in the Gazettes of Columbia the usual notice concerning the passage of the Bill to divide Pendleton was considered, was agreed to, and was ordered to be sent to the Senate for concurrence.

The following resolutions were considered, were concurred in, and were ordered to be returned to the Senate:

Resolution for the transfer of certain books to the Secretary of State's office;

Resolution relative to the publication of the Comptroller General's monthly account;

Resolution instructing the clerks of the Senate and of the House to give the usual notice of the Bill to divide Pendleton.

The Senate returned to this House the following Acts, which were committed to the Committee on Engrossed Acts:

An Act to extend the time for receiving subscriptions to the Western Bank of South Carolina at Anderson;

An Act to authorize the Commissioners of the Poor for Pickens to sell certain lands and for other purposes;

An Act to authorize the Bank of Newberry, and the Planters' Bank of Fairfield to increase their capital;

An Act to amend an Act entitled "An Act to incorporate the Town of Hamburg, and for other purposes," passed on 19th December, A. D. 1835;

An Act to renew and amend the charters of certain Towns and Villages heretofore incorporated.

An Act to incorporate certain religious and charitable societies, and societies for the advancement of education, and to renew the charters of others heretofore granted;

An Act to raise supplies for the year commencing in October, one thousand eight hundred and fifty-three;

An Act to amend the law in relation to weights and measures;

An Act to allow William Langston to hawk and peddle in Union District without the payment of the tax now imposed by law;

An Act for the establishment of a general system of registration of births, marriages and deaths in the State of South Carolina;

An Act to exempt the survivors of the South Carolina Volunteers in the

Florida war from ordinary military duty, and for other purposes;

An Act to authorize the South Carolina Rail Road Company to build a certain bridge over Wateree River;

An Act to provide for the measuring of lumber in the city of Charleston, and to create the office of Inspector and Surveyor thereof;

An Act to vest the title of the State in certain escheated property in sundry persons therein mentioned;

An Act to incorporate certain societies, associations and companies, and to renew and amend the charters of others;

An Act to establish certain roads, bridges and ferries, and to amend certain charters heretofore granted;

An Act to make appropriations for the year commencing in October, one thousand eight hundred and fifty-three;

An Act to alter the sittings of the Court of Law on the Western Circuit, and of the Court of Equity for Charleston District.

The following Messages were received from the Senate, were concurred in, and answers were returned :

IN THE SENATE, Dec. 20, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Vacant Offices as follows: St. James' Goose Creek, S. C. Warwick, Magistrate; Newberry, strike out A. G. Maybin *vice* J. H. Henderson, and insert Reuben S. Lyles *vice* A. G. Maybin.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

IN THE SENATE, Dec. 20, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate respectfully asks leave of your House to rescind the joint resolution fixing 8 P. M. as the hour of adjournment, and to fix 12 o'clock midnight as the hour of adjournment.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

Mr. SEIGLING, from the Committee on Engrossed Acts, reported the following Acts as ready for ratification :

#### ACTS ORIGINATING IN THE HOUSE.

An Act to provide funds for the erection of the New State Capitol.

An Act to declare and amend the law in relation to words of limitation in Wills and Deeds.

An Act to extend the time for receiving subscriptions to the Western Bank of South Carolina, at Anderson.

An Act to authorize the Commissioners of the Poor, for Pickens District, to sell certain lands, and for other purposes.

An Act to authorize the Bank of Newberry, and the Planters' Bank of Fairfield to increase their capital.

An Act to amend an Act entitled an Act to incorporate the Town of Hamburg, and for other purposes, passed on the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five.

An Act to renew and amend the charters of certain towns and villages heretofore incorporated.

An Act to incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew the charters of others heretofore granted.

An Act to raise supplies for the year commencing in October, one thousand eight hundred and fifty-three.

An Act to amend the law in relation to Weights and Measures.

An Act to allow William Langston to hawk and peddle in Union District, without the payment of the tax now imposed by law.

An Act for the establishment of a general system of Registration of Births; Marriages and Deaths, in the State of South Carolina.

An Act to exempt the survivors of the South Carolina Volunteers, in the Florida War, from ordinary Militia duty, and for other purposes.

An Act to authorize the South Carolina Rail Road Company to construct a certain Bridge over the Wateree River.

An Act to provide for the measuring of timber in the city of Charleston.

An Act to vest the title of the State in certain escheated property in sundry persons therein mentioned.

An Act to incorporate certain societies, associations, and companies, and to renew and amend the charters of others.

An Act to establish certain roads, bridges, and ferries, and to renew certain charters heretofore granted.

An Act to make appropriations for the year commencing in October, one thousand eight hundred and fifty-three.

An Act to alter the sittings of the Courts of Law on the Western Circuit, and the Court of Equity for Charleston District.

#### ACTS ORIGINATING IN THE SENATE.

An Act to recharter the Bank of Camden, South Carolina.

An Act to recharter the Merchants' Bank of South Carolina.

An Act to vest the right and title of the State in and to a certain lot of land in the town of Darlington in Joseph Frank.

An Act to renew the charter of the Bank of Charleston, South Carolina.

An Act to renew the charter of the Bank of South Carolina.

An Act to authorize the Spartanburg and Union Railroad Company to extend their Road from some point at or near Spartanburg Court House, to some point on the North Carolina line, in the direction of Asheville or Rutherford.

An Act to amend the charter of the Fireman's Insurance Company of Charleston.

An Act to renew and amend the charter of the State Bank.

An Act to recharter the Bank of Hamburg, South Carolina.

An Act to confer on Isaac Iseman and Marx Iseman certain rights and privileges in relation to a piece of land by them purchased.

An Act to establish a Rifle Battalion in the parishes of St. Philip's and St. Michael's.

An Act in relation to the Trustees of the South Carolina College.

An Act to incorporate the Central Bank of South Carolina.

An Act to cede to the United States certain parcels of land as sites for Light Houses and Beacons.

An Act to authorize the Laurens Rail Road Company to extend their Road from Laurens Court House to the North Carolina line, in the direction of Asheville.

An Act to amend the charter of the Greenville and Columbia Rail Road Company.

An Act to declare a certain description of streams navigable, and for other purposes.

An Act to incorporate the Columbia and Hamburg Rail Road Company.

An Act to charter a Company to construct a Rail Road from the junction of the Camden and Columbia branches of the South Carolina Rail Road to Hamburg, South Carolina.

An Act to incorporate the Branchville and Savannah Rail Road Company.

An Act to give the Town Council of Yorkville the power to issue the Bonds of the Corporation, and for other purposes.

An Act to amend an Act to incorporate the Florida Steam Packet Company.

An Act to authorize the Commissioners of the Poor for St. Bartholomew's Parish to sell certain lands, and for other purposes.

An Act to authorize the formation of the Newberry and Chester Rail Road Company.

An Act to charter the Charleston and Savannah Rail Road Company.

An Act to prohibit the collection of demands against students of Colleges and Institutions of Education in this State.



On motion of Mr. McGOWAN, the House then resolved itself into a Committee of the Whole, Mr. McGowan in the Chair.

When the SPEAKER resumed the Chair,

Mr. McGOWAN rose and said that, as the organ of the Committee of the Whole House, he presented with feelings of the highest gratification the following resolution; which had been unanimously adopted by the Committee:

*Resolved unanimously, That the dignity, courtesy, impartiality and eminent ability with which the Hon. James Simons has discharged the duties of the Speaker of the House of Representatives, have met the hearty approbation of this House, and have secured to him the respect and esteem of its members individually.*

To which the SPEAKER replied:

*Gentlemen of the House of Representatives:*

This repeated evidence of your kindness fills me with the most grateful emotions. When you first assembled, after the election of 1852, it was manifest that but very few of the members of the former House had been returned, so that it took some time for the new members to become acquainted, and harmonize their sentiments and opinions. From this place, by my observation of the business of this body, I have not failed to perceive the gradual development of those ties, both of opinion and feeling, which constitute the *esprit du corps* of every deliberative assembly. To this, added to the well known dignity, urbanity, and propriety of this House, I am indebted for aid in discharging the delicate, responsible and onerous duties which have been confided to me. Without the amenity, calmness, and decorum of those who now surround me, even reasonable success in presiding over your deliberations could not have been attained; and I take this occasion publicly to make, to me, the most grateful acknowledgments.

We are now about to separate, after having formed many friendly relations, and I sincerely hope with no enmities. May you return to the enjoyment of your homes and firesides with every blessing that can fall to the lot of the wisest and most virtuous.

With the deepest emotions I ask the blessing of God upon you and yours. I bid you a grateful and respectful farewell.

On motion of Mr. B. F. PERRY, business was suspended at half past 6 o'clock, P. M., until 10 o'clock, P. M.

RECESS.

When the SPEAKER resumed the Chair,

The following message was received from the Senate, leave was granted, and an answer returned:

IN THE SENATE, December 20, 1853.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate asks leave of your House to amend the report of the Committee on Privileges and Elections, appointing managers and fixing places for the general elections as follows : Barnwell, strike out " J. E. Williams " and insert " E. J. Williams ;" St. James, Goose Creek, " one representative to be elected, managers to meet at Wassamasaw ;" York, the managers to meet at York C. H. on Wednesday following, count over the votes, and declare the election ; St. Luke, managers to hold election two days, meet the Thursday following at head of Gadsden's Avenue, count the votes, and declare the election ; Richland, polls to be kept open two days, managers to meet at Columbia on Wednesday following, count the votes, and declare the election ; Orange, strike out one Senator ; Spartanburg, the polls to be open at the Court House on Monday and Tuesday, and at the out boxes on Tuesday only, the managers to meet at the Court House on the Wednesday following, count the votes and declare the election, one Senator and five Representatives to be elected ; Claremont, polls to be open two days at Sumterville, and one day (Monday) at all the other places, managers to meet at Sumterville on the Wednesday following, count the votes, and declare the election ; Edgefield District, one Senator and six Representatives, polls to be open at all the places of election on the second Monday in October, and the day following, the managers to meet at the Court House on the Wednesday following to count the votes and declare the election ; Marion, in the latter clause where it reads one Senator and three Representatives, to strike out the words one Senator ; Greenville, strike out one Senator to be elected ; Kershaw, add " and meet on the Wednesday following at Camden, count the votes and declare the election ;" Marlboro', " two days at the Court House, and one day at each other place of election, managers to meet at the Court House on the second day of election, count the votes and declare the election ;" St. Thomas and St. Dennis, " managers to meet at the Muster House, count the votes, and declare the election."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The following message was received from the Senate :

IN THE SENATE, Dec. 20, 1853.

*Mr. Speaker and Gentlemen of the**House of Representatives :*

Senate respectfully asks leave of your House to amend the report of the Committee on the Lunatic Asylum, of your House, on the report of the Regents, and so much of the Governor's Message as relates to the Asylum,

and the resolutions adopted by your House, by striking out the first nine lines of the second, and the whole of the third resolution, so that the resolutions as proposed to be amended would read thus: "Resolved, that the Regents be required to submit at the next session of the Legislature a plan and the estimated cost of a suitable edifice of brick, capable of containing one hundred and thirty patients and three attendants, together with such buildings and appurtenances as may be necessary for the health, comfort and proper treatment of the inmates upon the land belonging to the State, and known as the Asylum grounds.

"Resolved, That the Regents of the Asylum be authorized to receive from the Treasury of the State the sum of four hundred dollars, to be expended in the purchase of books for the use of the inmates of the Asylum, and the Map of the State."

By order of the Senate,

ROBT. F. W. ALLSTON, President.

On motion of Mr. THOMSON, the House refused to grant leave to the Senate to make the amendment proposed, and an answer was returned.

The following Message was received from the Senate:

IN THE SENATE, December 20, 1853.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully invites your House to attend in the Senate Chamber, for the purpose of ratifying the Acts, at half-past 10 o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, President.

The Senate sent to this House,

Report of the Committee on Roads and Buildings,

On the petition of the Commissioners of Public Buildings for Newberry District.

Report of the Committee on Military and Pensions,

On the report of the Major of Ordnance; which were severally ordered to lie on the table.

On motion of Mr. MITCHELL, the Committee on the Judiciary were discharged from the further consideration of the memorial of citizens of Charleston, on the laws respecting interest on money;

Of a Bill from the Senate to permit Joseph R. Breare, an alien, to apply for admission to practice in the Courts of Law and Equity, in this State;

Of the petition of Andrew Hunter;

Of the reports of the Solicitors of the Middle, Eastern and Western Circuits respectively, and of the Attorney General on District Offices and Officers.

On motion of Mr. MCGOWAN, the report of the Senate Committee on Military and Pensions, on the report of the Major of Ordnance, was taken up, was concurred in, and was ordered to be returned to the Senate.

The House then attended in the Senate Chamber, where the Acts passed at the present session of the General Assembly were duly ratified.

The SPEAKER having returned, announced to the House the Acts which had been ratified.

The Senate returned to this House with their concurrence :

A resolution for abolishing the office of Major of Ordnance ;

Report of the Committee on the Legislative Library on the distribution of Tuomey's Geology ;

Report of the Committee of Ways and Means, on so much of the Governor's Message as relates to the receipt and distribution of the land fund of the U. S. ;

Report of the Committee on Accounts, on the Contingent Accounts of the Upper Division of the Treasury ;

Reports of the Committee on Claims,

On the account of Dr. W. J. Holmes, for post mortem examination ;

On the account of Dr. D. W. Lamb, for post mortem examination ;

On the account of Dr. J. O. Hagood, for post mortem examination ;

On the account of Dr. C. W. Hodges, for post mortem examination ;

On the account of Dr. Henry Winthrop, for post mortem examination ;

On the account of R. S. Bailey, for public printing ;

On the account of A. S. Willington & Co., for public printing ;

On the account of R. S. Bryan, for stationery for the House.

Report of the Committee of Ways and Means,

On the petition of Daniel Williams, to be refunded a double tax.

Reports of the Committee on Claims,

On the account of J. V. & W. H. Trimmier ;

On the account of the Newberry Sentinel ;

On the account of P. M. Stokes ;

On the account of W. F. Durisoe ;

On the account of the Anderson Gazette ;

On the account of A. Palmer ;

On the account of William Youmans ;

On the claim of Lewis Jones ;

On the claim of Dr. R. S. Hart ;

On the claim of Thomas J. LaMotte ;

On the account of V. Little ;

On the account of the Black River Watchman ;

On the account of Bryan & McCarter ;

On the account of J. I. Bonner ;

On the account of J. G. McKissick ;

On the petition of James A. Graham ;

On the petition of Benjamin Perry ;

On the account of M. G. Hart ;

On the account of J. W. Henegan ;

On the account of Wm. Huff ;

On the account of the Abbeville Banner ;

On the account of J. R. Poole ;

On the account of B. F. McGilvary.

Reports of the Committee on Public Buildings,

On the petition of the Commissioners of Public Buildings for Newberry District ;

On the petition of the Commissioners of Public Buildings for Williamsburg District.

Reports of the Committee on Claims,

On the account of H. Nelson Wheaton ;

On the account of Gaillard & Aiken ;

On the account of James Bonds ;

On the account of John De Lorme ;

On the account of Dr. J. H. Poozer, for a post mortem examination ;

On the account of S. Hobbs ;

On the account of R. W. Gibbes & Co. ;

On the account of Thos. J. Warren ;

On the account of Thomas J. Workman ;

On the claim of T. A. Dargan.

Report of the Committee on Education,

On the report of the Commissioners of the Deaf, Dumb and Blind.

Report of the Commissioners on Public Buildings,

On a memorial of the Commissioners of Public Buildings for Georgetown District ;

On a memorial of the Commissioners of Public Buildings for Chesterfield District ;

On the presentment of the Grand Jury of Colleton District, Fall Term, 1853 ;

On the presentment of the Grand Jury of Darlington District, Spring Term, 1853.

The Reports of the Committee of Ways and Means,

On the report of the Investigating Committee, as to the Branch Bank of the State, at Camden ; and

On a resolution instructing the Committee of Ways and Means to enquire as to a fund for deepening the entrance to Charleston harbor ; and

On the petition of John E. McDonald, praying to be released from his indebtedness to the State; and, also,

The report of the Committee on the Judiciary, on a petition, praying the appointment of a commission in the matter of certain lands on Sullivan's Island, granted to David Truesdell.

Reports of the Committee on Claims,

On the account of R. J. Gilliland, for a post mortem examination;

On the account of Dr. A. W. Betha, for a post mortem examination;

On the account of Dr. J. L. Douglass, for a post mortem examination;

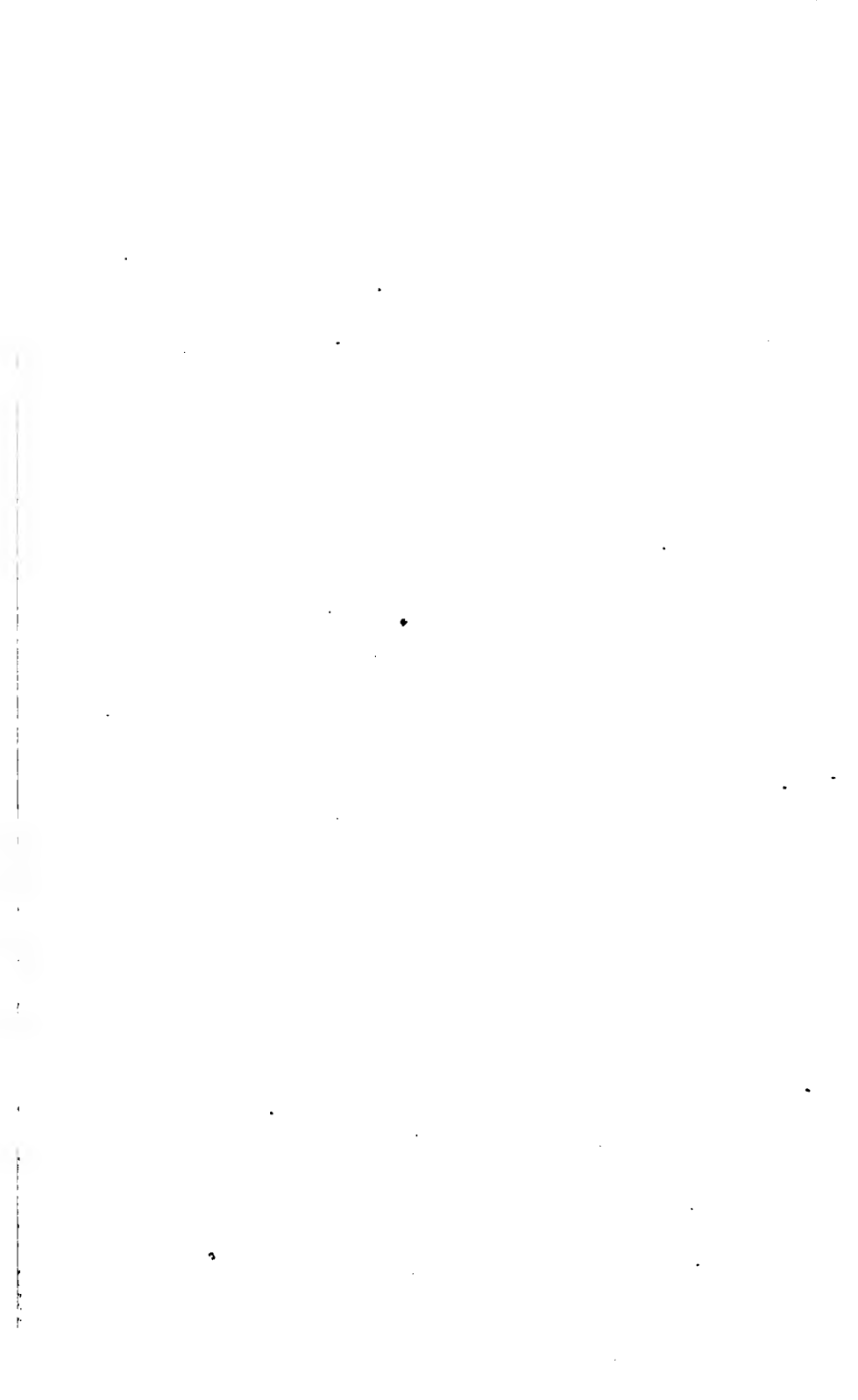
On the account of Dr. A. Myers, for a post mortem examination;

On the account of Dr. W. C. Cauthen, for a post mortem examination; and, also,

A resolution relative to a Bill to alter the Constitution of this State, so as to divide Pendleton into two election Districts.

The Senate and House of Representatives were informed by their respective Clerks that the Legislative business was finished, and that they were now prepared to adjourn the present session of the General Assembly.

At 12 o'clock, midnight, the SPEAKER adjourned the House of Representatives, agreeably to the joint resolution of the General Assembly, *sine die*.



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## OF THE

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## BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Ratioed.....
No. 1. A Bill to repeal the 6th section of an act entitled "An Act to extend the charter of the Bank of the State of South Carolina," passed 16th December, 1852,.....	9	33	81		41 77 154	
2. To declare and amend the Law in relation to words of limitation in deeds and wills,.....	9	33	137	165	41 130 137 201	207
3. To amend the law in relation to attesting wills,.....	9	33			77 86 174	
*4. To amend the law in relation to Ordinaries,.....	9	42	155			114
5. To repeal an Act entitled "An Act to increase the amount of property exempt from levy and sale,....	9	33	130			41
6. To alter the License Law of this State,.....	9	33				79
7. To re-charter the Bank of Camden, South Carolina,.....	10	34			73 154	
8. To authorize the South Carolina Rail Road Company to build a certain bridge over the Wateree River,.....	10	68	160	183	78 201	207
9. To alter and amend the law in relation to Sheriffs,.....	10	44			65 148	
10. To repeal the 5th section of an Act passed at the session of the General Assembly, on the 14th December, 1852, entitled "An Act to extend the charter of the Bank of the State of South Carolina,".....	10	53				
11. To secure to defendants in the sessions, like process with the State in all cases—to procure the attendance of witnesses, and allowing State witnesses compensation for attendance on the Courts,.....	10	52			58 142	
12. To compel the Commissioners of Roads for Salem County, Sumter District, to re-open the road from						

\* The titles of Bills marked with an \* were changed either by the members introducing them, or by the House or the Senate.

BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Ratified.....
Lynchburg to Lynch's Creek, known as a part of the direct road leading by way of Muldrow's Crossing, from Sumterville to Darlington C. H., and conjointly with the Commissioners of Roads for Darlington District, to bridge the stream at Durant's old Ferry,.....	10	52			72 173	
*13. To alter the sittings of the Courts of Law on the Northern Circuit,.....	10	35	142	178	{ 58 111 153 178 195	207
14. Respecting Wills,.....	33	41			160	
15. To amend the charter of the Greenville and Columbia Rail Road Company, and for other purposes,.....	33	41			65 100	
*16. To give the aid of the State to the Blue Ridge Rail Road Company by subscribing to the capital stock thereof,.....	33	53			73 153	
17. To prescribe the mode and terms upon which Municipal Corporations in this State may subscribe to the stock of Rail Roads, Plank Roads, and Canal Companies,.....	33	54	145		60 146 147	
18. To renew the charter of the Bank of Charleston,.....	34				73 154	
19. To regulate Appeals at Law,....	34	54	148		65 153	
20. To cede to the United States the jurisdiction of this State over certain parcels of land, for the erection of Light Houses and Beacons,.....	34	42				
21. To alter the law respecting the granting of vacant lands in the State of South Carolina,.....	34	42			61 108 148	
22. To amend the charter of the Fireman's Insurance Com'y of Charleston,.....	34	42			65 150	
23. To declare and amend the law in relation to words of limitation in Deeds and Wills,.....	34					
*24. To re-charter the Bank of South Carolina,.....	34	54			73 154	
25. To repeal an Act entitled "An						

## BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ing.....	Ratified.....
Act to alter and amend the License Law of this State, passed in 1840," ....	34	43			60	143
26. To amend the 11th section of an Act entitled " An Act to incorporate certain societies and companies, and to revise and amend certain charters heretofore granted," passed Dec. 20, 1850,...	34	44			109	
27. To amend the charter of the Bank of Newberry, South Carolina,...	34	52			86	164
28. To change the name of the judicial district of Spartanburg to that of Spartan, the constitutional name of the election district, and to require all legal processes to be entitled accordingly,	34	52			73	153
29. To alter and amend the Free School Laws of this State, and to appoint a Superintendent of Free Schools,	35	53			90 103 116 117 118 119 120	
30. To alter and amend the 15th section of an Act entitled " An Act to reduce all Acts and clauses of Acts in relation to the Militia Law of this State into one Act," .....	35	53			78	173
31. To exempt certain property from levy and sale by Sheriffs and other ministerial officers of this State, and from being inventoried and sold by executors and administrators,.....	35	62			86	
32. To afford compensation to Commissioners of Roads, and for other purposes,.....	35	53			79	173
33. Granting Banking privileges to the Spartanburg and Union Rail Road Company, .....	35	69			86	
34. To authorize the Spartanburg and Union Rail Road Company to extend their Road from a point at or near Spartanburg C. H., to some point on the North Carolina line in the direction of Rutherfordton.....	35	53			65	150
35. To alter and amend an Act entitled " An Act to provide by law for						

BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Referred.....
the compensation of physicians for post mortem examinations,.....	35					
36. To reduce the salary of the Adjutant and Inspector General, and Major of Ordnance, and to abolish the salary of Quartermaster General,.....	35	53			115	
*37. To vest in Mary Lynas the real estate of Michael Lynas, dec'd,.....	35					
*38. To vest the personal property of Julia Mendaze in William Butler, Robert Butler, and Julia Gordon,.....	35					
*39. To extend the time for securing the capital stock, and for organizing the Western Bank of South Carolina at Anderson,.....	41	53	154		77	
40. To provide for the measuring of Lumber and Timber in the city of Charleston, and to create the office of Surveyor thereof,.....	42	63	160	183	40 161 162 202	207
41. To incorporate the Branchville and Savannah Rail Road Company,....	42	54			101	
42. To renew the charter of the Bank of Charleston, South Carolina,....	42	68			73 154	
43. To establish Boards of Direction for Common Schools, and for other purposes,.....			79		{ 42 67 79 103 116 117 118 119 120	154
44. To re-charter the State Bank in Charleston, S. C.,.....	43					
45. To authorize the formation of the Newberry and Chester Rail Road Company,.....	43					
46. To renew the Charter of the Merchant's Bank of South Carolina, at Cheraw,.....	43	54			73 154	
47. To alter the 15th section of an Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State into one Act, and to alter and amend the same,".....	43	54			78 144 145 173	
48. To alter and amend the License Law of this State in certain particulars,.....	43	54	143		59 79	



## BILLS ORIGINATING IN THE HOUSE

TITLE	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Ratioed.....
49. To amend the charter of the Savannah River Valley Rail Road Company, and for other purposes,.....	44	55			65	125
50. To amend the 95th section of an Act entitled "An Act to reduce all Acts and clauses of Acts in relation to the Militia of this State to one Act, and to alter and amend the same,".....	44	55			78	173
51. To exempt the survivors of the South Carolina Volunteers in the Florida War from ordinary militia duty,...	44	55	163	183	78	202 207
52. Rendering incompetent all subscribing witnesses to prove a will to whom any legacy or bequest is made in such will, .....	44	68	155			77
53. To provide for the establishment of a general system of registration of births, deaths, and marriages in this State,.....			115	183	51 87 116	202 207
54. To amend the charter of the Laurens Rail Road Company,.....	52	61	183			89
55. To regulate the distribution of the appropriation for the support of the Free Schools of the State,.....	52	61			{ 17 18 19 20 90 103 116	
*56. To construct a Rail Road from the junction of the Camden and Columbia Rail Road branches of the South Carolina Rail Road to Hamburg,.....	52	61				125
57. To incorporate the Columbia and Hamburg Rail Road Company,.....	52	62				100
58. To repeal the existing Militia Laws of the State, except as may be herein excepted,.....	52	110				125
59. To alter and amend an Act entitled "An Act to repeal all Acts and parts of Acts authorizing Ordinaries to take possession of and administer derelict estates," .....	53	63				
60. To alter and amend an Act entitled, "An Act concerning the office and duty of Ordinaries,".....	53					

BILLS ORIGINATING IN THE HOUSE.

TITLE	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Ratified.....
61. To alter and amend an Act entitled, "An Act to incorporate the Village of York,".....	53					
62. To enlarge the jurisdiction of the City Court of Charleston, and to secure the better administration of justice therein,.....	54	68			102	
63. To allow William Langston to hawk and peddle in Union District, without the payment of the tax now imposed by law,.....		60	145	183	202	207
64. Concerning the inspection of Flour in the city of Charleston,.....	62	69			90	
65. To establish a Company under the name of the Columbia Iron Manufacturing Company,.....	62	69			89	
66. To establish a Branch of the Bank of the State of South Carolina, at Marion Court House,.....	62					
67. To amend an Act entitled, "An Act to convert the Arsenal at Columbia, and the Citadel and Magazine in and near Charleston, into Military Schools," passed 20th December, 1842, and an Act to amend the same, passed 19th December, 1852,.....	62	69			114	
68. To charter the Charleston and Savannah Rail Road Company,.....	62	68			101	
*69. To sell all the Poor Lands of St. Bartholomew's Parish,.....	62	68			90	
*70. To amend the Constitution in relation to the manner of voting for public officers,.....	63	105			114	
*71. To provide for the more perfect administration of justice, and for other purposes,.....	63	70			{ 114 124 136 137	
72. To regulate the trial of cases of forcible entry and detainer, and proceedings between courts of Magistrates and Freeholders,.....	63					
73. To amend the law in relation to weights and measures,.....		66	150	183		202/207

## BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Referred .....
74. To define the principles on which Joint Stock Companies shall be incorporated, and to charter the Bank of South Carolina, the Bank of Charleston, the State Bank, the Bank of Hamburg, the Merchants' Bank of South Carolina, at Cheraw, and the Central Bank of South Carolina,.....		66	156		150 155 157	
*75. For a charter for a Rail Road from Abbeville village to Savannah River, in the direction of Washington, Georgia,.....	66	110				125
76. To make malicious trespasses indictable, whether on real or personal property,.....	67	74				76
77. To amend the Act of 1847, entitled, "An Act relating to the survey of the coast of South Carolina, under the authority of the United States,"....	68	81				87
78. To authorize the union of the Cheraw and Anson Plank Road Company with the Anson Plank Road Company,.....	68	75				89
79. To authorize aid to the Blue Ridge Rail Road Company in South Carolina,.....		73	153		163 168	
80. To extend the time for receiving subscription to the Western Bank of South Carolina, at Anderson,.....		77	154	178	167 202	207
81. To declare a certain description of streams navigable, and for other purposes,.....		78				
82. To establish a Rifle Battalion in the Parishes of St. Phillips and St. Michaels,.....		79				164
83. More effectually to prevent free negroes and other persons of color from entering into this State, and for other purposes,.....		79				
84. Prescribing the manner in which Electors of President and Vice Presi-						

BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Ratified, .....
dent of the United States shall hereaf- ter be elected in South Carolina. (Mr. Poppenheim,).....					{ 79 86 87 97 105 106 120 126 126 128 130 133	
85. To alter and amend the 10th section of the 1st article of the Consti- tution so as to change the time of the meeting of the General Assembly every fourth year. (Mr. Keitt,).....					{ 79 86 87 97 105 106 120 126 126 128 130 133	
86. To alter and amend the 13th section, 2d article, of the Constitution, so as to make it obligatory on the Go- vernor to convene the General Assem- bly on the day designated by Congress for the election of President and Vice President of the United States. (Mr. Tillinghast,).....					{ 79 86 87 97 105 106 120 126 126 128 133	
87. To provide for the appointment of Electors of President and Vice Presi- dent of the United States by this State. (Mr. McCrady,).....					{ 79 86 87 97 105 106 120 126 128 130 133	
88. To provide for the future elec- tion of Electors of President and Vice President of the United States. (Mr. Kershaw,).....					{ 79 86 87 97 105 106 120 126 128 130 133	
*89. To alter the sittings of the Courts of Law on the Western Circuit,	80	102		178	{ 89 188 189 201	
90. To incorporate the Town of Lex- ington,.....	80	105				109
91. To amend an Act to incorporate the Florida Steam Packet Company....	81					
92. To amend the law in relation to pleadings and practice in the Courts of Equity, and the sales of Masters by order of that Court,.....	81					
93. To amend the law in relation to punishment in cases of larceny,.....	81					
94. To authorize the Bank of New- berry to increase its capital,.....		86	164	183		202 207
95. To regulate the navigation of Horse Creek, Edgefield District,.....		86				
96. To repeal an Act entitled, "An						

## BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Ratified.....
Act to prevent obstructions to the pas- sage of Fish up the river Keowee, and its waters,".....		88				
97. To incorporate the South Caro- lina Building and Saving Institution,		89				
98. To amend the charter of the Charleston Gas Light Company, so as to allow said Company to increase their capital,.....		89				
*99. To amend an Act entitled, "An Act to incorporate the Town of Ham- burg, and for other purposes," .....		90	164	183		202 207
100. To incorporate the Carolina Gas Company,.....		90				
101. To alter and amend the Free School laws of this State,.....		90			{ 103 116 117 118 119 120	
102. To authorize the sale or surren- der of the charter of the Company for the inland navigation from Santee Ca- nal to Cooper River,.....		101				163
103. To amend an Act to incorpo- rate the Florida Steam Packet Compa- ny,.....		101				
104. To provide for the expulsion of Free Negroes from this State, upon a second conviction of trading with a slave,.....	104	110				134
*105. To authorize the admission of Light Infantry or Rifle Corps into the 17th Regiment of Infantry,.....	106	111				115
106. To authorize the Comptroller to transfer sixteen thousand dollars of the stock owned by the State in the South Carolina Rail Road Company, and in the Southwestern Bank, to the Laurens Rail Road Company,".....		108				
107. To alter and amend an Act en- titled, "An Act to raise an indepen- dent Battalion of Militia, and for other purposes,".....		108				
108. To establish certain Roads,						

BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ing.....	Revised.....
Bridges and Ferries, and to renew cer- tain charters heretofore granted,.....		108	162	183	{ 182 183 191 192 202	207
109. To alter and amend the 8th section of an Act entitled, "An Act to prevent the citizens of New York from carrying slaves, or persons held to ser- vice, out of this State, and to prevent the escape of persons charged with the commission of any crime," .....		109				
110. To exempt Jerome B. Kerr from ordinary Militia duty,.....	110	129			132	
111. To establish a Court of Law in Charleston District, .....	111					
112. To confer on French aliens the right to hold property in this State,...		112				
113. To provide for the more perfect and prompt administration of justice,...		114	136		{ 124 136 137 138	
114. To renew and amend the char- ters of certain Towns and Villages here- before incorporated, .....		115	164	182	202	207
115. To incorporate certain Socie- ties, Associations and Companies, and to renew and amend the charters of others,		115	156	182	{ 156 182 192 202	207
116. To incorporate certain Reli- gious and Charitable Societies, and So- cieties for the advancement of Educa- tion, and to renew the charters of oth- ers heretofore granted, .....		115	163	182	182 202	207
117. To raise supplies for the year commencing October, one thousand eight hundred and fifty-three, .....		124	163	182	182 202	207
118. To make appropriations for the year commencing one thousand eight hundred and fifty-three, .....		124	163	182	{ 182 190 191 202	207
119. To provide funds for the erec- tion of the New State Capitol, .....		124	134	164	{ 134 135 136 174 201	207
120. In relation to the Trustees of the South Carolina College, .....	127	134				
121. To authorize Municipal Corpo- rations to tax the real estate of Banking Houses, .....		140				

## BILLS ORIGINATING IN THE HOUSE.

TITLE.	Notice of.....	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Ratified, .....
122. To authorize the Commission- ers of the Poor for Pickens to sell cer- tain lands, and for other purposes,.....		74	154	184	202	207
123. To vest the title of the State in certain escheated property in sundry persons therein mentioned,.....		50	141	183	202	207

## BILLS ORIGINATING IN THE SENATE.

TITLE.	1st Reading, ....	2d Reading,.....	3d Reading,.....	Other Proceed- ings.....	Referred .....
No. 1. A Bill to establish a Rifle Battalion in the Parishes of St. Phillips and St. Michaels, .....	71	164	184	89 203	207
2. To reduce the salary of the Adjutant and Inspector General, .....	71			115	
3. To vest the right and title of the State in and to a certain lot of land in the town of Darlington in Joseph Frank,.....	71	164	184	87 202	207
4. To confer on Isaac Iseman and Marx Iseman certain rights and privileges in relation to a piece of land by them purchased,.....	71	164	184	87 203	207
5. To amend the law in relation to Sheriffs,.....	71			87	
6. To alter the law in relation to the duties of Ordinaries in taking Administration Bonds,.....	71			87	
7. To alter the system of pleadings in Courts of Law, .....	71			87	
8. To charter the Charleston and Savannah Rail Road Company,.....	83	172	184	100 203	207
9. To amend an Act entitled "An Act to charter the Lancaster Rail Road Company," passed on the 16th day of December, 1852, .....	83			101	
10. To authorize the Spartanburg and Union Rail Road Company to extend their road from some point at or near Spartanburg C. H. to some point on the North Carolina line in the direction of Asheville or Rutherford,.....	83	150	164	101 203	207
11. To amend the law in relation to deeds, wills and other instruments in writing. ....	83			100	
12. To incorporate the South Carolina Gas Company,.....	91			101	
13. To amend the charter of the Fireman's Insurance Company of Charleston,.....	91	150	164	101 203	207
14. To revive and extend the char-					



## BILLS ORIGINATING IN THE SENATE.

TITLE.	1st Reading.....	2d Reading.....	3d Reading.....	Other Proceed- ings.....	Revised.....
ter of the Sumterville Academical Society,.....	91			101	
15. To extend the time for securing the capital stock, and for organizing the Western Bank of South Carolina at Anderson,.....	91		178	178	
16. To renew and amend the charter of the State Bank,.....	91	160	184	{ 132 152 155 203	207
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## ERRATA IN JOURNAL.

Page 34, line 22, after the word "to-morrow," read "to introduce a bill."

Page 49, line 22, strike out "Keels," and read "Kelly."

Page 52, line 15, after the word "Bill," read "to incorporate a company."

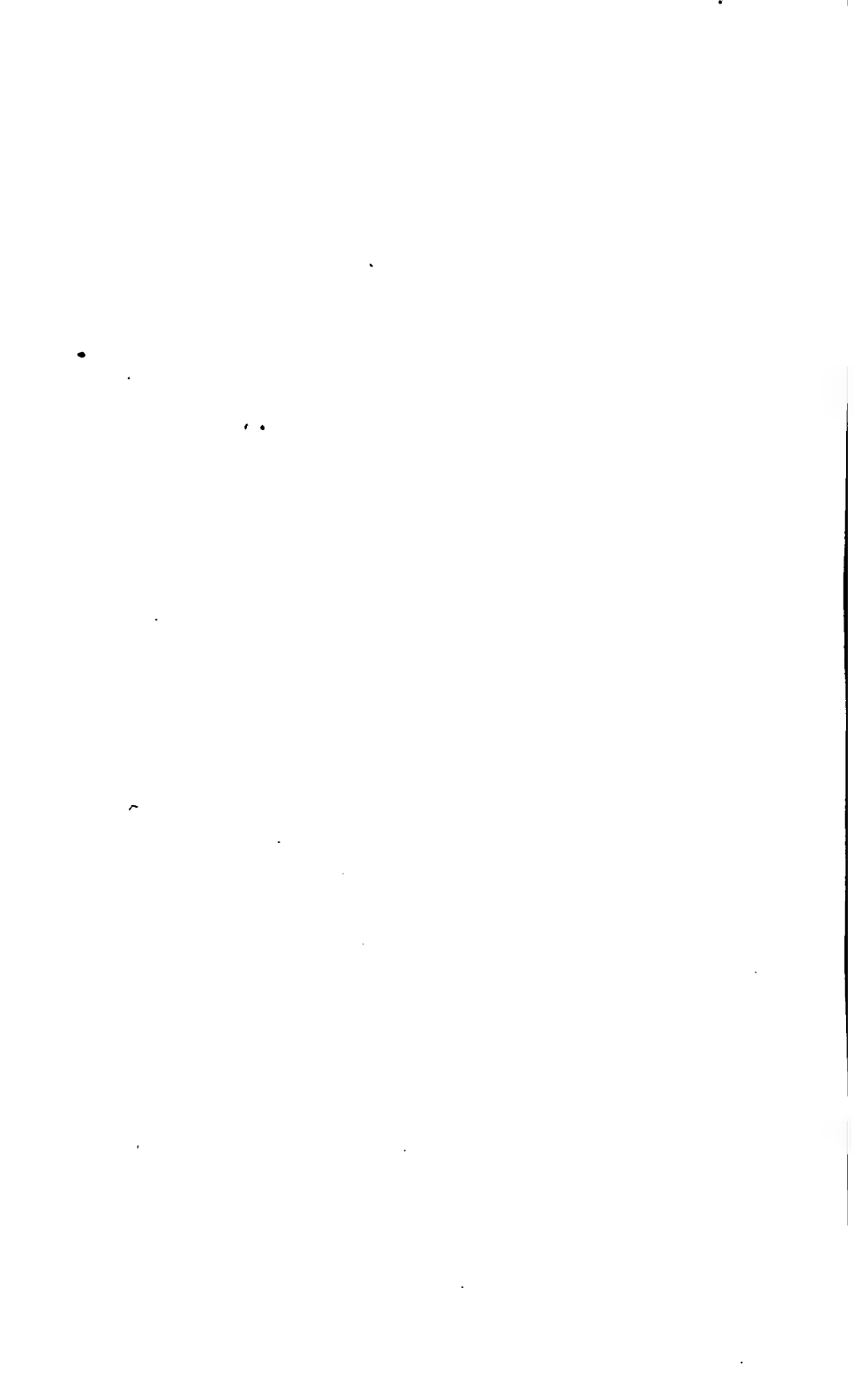
Page 178, line 32, after the word "Courts," read "of Law on the Western Circuit and the Courts."

Page 184, line 38, strike out the word "renew" and read "amend."

Page 184, last line, strike out "incorporate the Bank," and read "amend an Act entitled 'An Act to incorporate the Town.'"

Page 205, line 21, strike out "S." before the word "Hobbs," and read "Llewellyn."





3  
JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF SOUTH CAROLINA:

BEING THE

ANNUAL SESSION OF 1854.

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COLUMBIA, S. C.:

R. W. GIBBES & CO., STATE PRINTERS.

1854.

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1855 July 28  
Left the General Assembly

JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
OF THE  
STATE OF SOUTH CAROLINA.

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MONDAY, NOVEMBER 27, 1854.

GENERAL ASSEMBLY of the State of South Carolina, begun and held at the Capitol, in Columbia, on the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and fifty-four, on which day, being that fixed by the Constitution for the meeting of the General Assembly,

Mr. J. IZARD MIDDLETON, (a member elect from Winyaw,) was called to the Chair; when H. J. DEAN, Clerk of the late House of Representatives, commenced a call of the House by Election Districts, and the following gentlemen appeared, produced their credentials, were sworn by the Chair, and took their seats:

*From Abbeville.*—Messrs. Thomas Thomson, Edward Noble, and J. W. Hearst.

*From All Saints.*—Mr. Thomas Randall.

*From Barnwell.*—Messrs. S. W. Trotti, David Bush, John E. Tobin, and Winchester Graham.

*From Charleston.*—Messrs. John Cunningham, H. V. Toomer, E. M. Whiting, Thomas Y. Simons, Jr., F. D. Richardson, H. C. King, J. C. Blum, B. J. Whaley, Lewis Rebb, Edward Horibéck, G. A. Trenholm, James Simons, Nelson Mitchell, Edward McCrady, Wilmot G. DeSaussure, and John Siegling, Jr.

*From Chester.*—Messrs. C. D. Melton, and William P. Gill.

*From Chesterfield.*—Messrs. Alfred M. Lowry and A. McQueen.

*From Christ's Church.*—Mr. Thomas M. Wagner.

*From Claremont.*—Messrs. John T. Green, Albertus C. Spain, and James D. Blanding.

*From Clarendon.*—Messrs. S. W. Witherspoon and P. M. Butler.

*From Darlington.*—Messrs. Edgar W. Charles, T. B. Haynesworth, and R. L. Hart.

*From Edgefield.*—Messrs. W. C. Morague, W. S. Mobley, G. D. Tillman, G. W. Landrum, W. B. Dorn, and Wade Holston.

*From Fairfield.*—Messrs. R. B. Boylston, H. H. Clarke, and W. M. Bratton.

*From Greenville.*—Messrs. W. P. McBee, B. F. Perry, Perry K. Duncan, and W. A. Mooney.

*From Kershaw.*—Messrs. A. H. Boykin and J. B. Kershaw.

*From Kingston.*—Mr. Robert Munro, Jr.

*From Lancaster.*—Messrs. W. C. Canthen and P. T. Hammond.

*From Laurens.*—Messrs. C. P. Sullivan, W. B. Henderson, W. D. Simpson, and George Anderson.

*From Lexington.*—Messrs. John Fox and John C. Hope.

*From Liberty.*—Messrs. Wm. S. Mullins and Wm. B. Rowell.

*From Marlboro'.*—Messrs. C. A. Thornwell and Charles Irby.

*From Newberry.*—Messrs. L. J. Jones, W. H. Harrington, and J. M. Crosson.

*From Orange.*—Messrs. J. H. Felder and D. J. Rumph.

*From Pendleton.*—Messrs. A. F. Lewis, W. S. Grisham, J. W. Harrison, John Wilson, W. D. Steele, S. M. Wilkes, and J. H. Ambler.

*From Prince William's.*—Messrs. D. H. Ellis and William Bowers.

*From Richland.*—Messrs. William Wallace, W. D. DeSaussure, and Campbell R. Bryoe.

*From Spartan.*—Messrs. B. F. Kilgore, J. V. Trimmier, J. W. Miller, and J. Wofford Tucker.

*From St. Bartholomew's.*—Messrs. Lewis O'Bryan and Burrell Sanders.

*From St. George's, Dorchester.*—Mr. A. E. Moorer.

*From St. Helena.*—Mr. Jos. Daniel Pope.

*From St. James', Goose Creek.*—Mr. J. Murray.

*From St. John's, Berkeley.*—Mr. Philip C. Kirk.

*From St. John's, Colleton.*—Mr. E. B. Bryan.

*From St. James', Santee.*—Mr. A. W. Cordes.

*From St. Matthew's.*—Mr. O. M. Dantzier.

*From St. Paul's.*—Mr. J. Calder Whaley.

*From St. Thomas and St. Dennis.*—Mr. I. K. Farman.

*From Union.*—Messrs. B. H. Rice, Robert Beatty, and John A. Metts.

*From Williamsburg.*—Mr. A. Isaac McKnight.

*From Winyaw.*—Messrs. J. Izard Middleton, B. H. Wilson and J. H. Read, Jr.

*From York.*—Messrs. W. B. Wilson, G. W. Williams, W. I. Clawson and A. S. Wallace.

The return of the majority of the Managers of Election of St. Peter's was then read, as was also the return of the minority of the said Managers; and On motion of Mr. BOYLSTON, were ordered *to lie on the table*.

On motion of Mr. WAGNER, the return of the Managers of Election of St. Peter's was taken up;

Whereupon Mr. J. W. Peeples, a member elect from said Parish, appeared, was sworn, and took his seat.

On motion of Mr. B. F. PERRY, so much of the returns of the said Managers as relates to the election of Mr. John P. Raymond, was ordered *to lie on the table*.

A quorum of the members being present, the House then proceeded to the election of a Speaker to preside over its deliberations, and on the examination of the ballots, it appeared that Mr. JAMES SIMONS, a representative from Charleston, received one hundred votes, which was a majority of the ballots cast, and was elected;

Whereupon, Mr. JAMES SIMONS was conducted to the Chair by Messrs. J. W. HARRISON, T. M. WAGNER and J. HARLESTON READ, Jr., a Committee appointed for that purpose, and expressed to the House his acknowledgments as follows:

*Gentlemen of the House of Representatives:*

Accept my sincerest acknowledgments for the honor which has been again conferred on me, in my election to this distinguished chair. The arduousness and difficulty attendant on the discharge of its duties, have always, heretofore, been diminished by the courtesy and kindness of the members; and I feel well assured, from the character of this House, that I shall now meet with the same consideration.

You are assembled, under the Constitution, to provide for the well-being and prosperity of our beloved State. Let me, at the outset, invoke for your deliberations the blessings of Almighty God. During the past season we have sorely experienced his chastening. At one time, a splendid naval palace, fabricated by the art of man to subject the elements to his use, was swallowed up by the ocean, consigning hundreds of our fellow-citizens instantly to eternity. At another time the fury of a tempest ravaged the fields of the husbandman, sweeping away the fruit of his labors, and destroying many of the dwellings of our people. Then came the "shadow that walketh in darkness, and the pestilence that destroyeth at noonday," and desolated your chief city. Not a house was left in which disease came not; scarce one where death had not a victim. No age, no sex, no caste was spared, and universal gloom overhung her precincts. Death and accidents have even struck down two members of this house. These things disclose the power of God, and nations, like men, should acknowledge His supremacy. May all

your deliberations recognize this great truth, and assuredly His countenance and protection will attend them.

It is a source of congratulation, however, that, whilst other States of this Confederacy, during the past year, have been involved in the greatest confusion and turmoil by political and social agitations, our own has been exempt from such scenes. And amidst the various and important matters which will engage your attention, if you wish to avoid the like difficulties, you cannot too much cultivate the virtues of moderation and forbearance. Lest I may transgress the appropriate limits of my present duty, let me now commend you to the labors which are set before you.

A message was received from the Senate by the Clerk, informing the House that a quorum of the members of the Senate had met, had elected Mr. R. F. W. Allston, President, Mr. William E. Martin, Clerk, and Mr. A. D. Goodwyn, Reading Clerk, and was now ready to proceed to business. The House then proceeded to a ballot for Clerk, and immediately thereafter to the election of a Reading Clerk.

Mr. ANDERSON, from the Committee appointed to count the votes cast on the ballot for Clerk, reported that Mr. John T. Sloan had received fifty-six votes, which was a majority.

Whereupon, the SPEAKER announced that Mr. John T. Sloan is duly elected Clerk of the House, and administered to him the constitutional oath of office.

On motion of Mr. WAGNER,

*Ordered*, That a Committee be appointed to wait upon his Excellency the Governor, and inform him that a quorum of the House had assembled, and was ready to receive any communication which he may be pleased to make;

Whereupon the SPEAKER appointed Messrs. THOMAS M. WAGNER, J. HARLESTON READ, Jr., and A. H. BOYKIN, of the Committee.

The House then proceeded to the election of a Messenger.

Mr. J. B. Perry, member elect from St. Bartholomew's, appeared at the Clerk's desk, was sworn, and took his seat.

Mr. BLANDING, from the Committee appointed to count the votes cast on the ballot for Reading Clerk, reported that Mr. John S. Richardson, Jr., had received a majority;

Whereupon the SPEAKER announced, that Mr. John S. Richardson is elected Reading Clerk of the House, and administered to him the constitutional oath of office.

On motion of Mr. SIEGLING, a message was sent to the Senate, informing that body that a quorum of the House had assembled, had elected Hon. James Simons, Speaker, John T. Sloan, Clerk, John S. Richardson, Reading Clerk, and was ready to proceed to business.

Mr. WAGNER, from the Committee appointed to wait on his Excellency the Governor, reported that they had fulfilled the duty assigned them, and that his Excellency would communicate with the House to-morrow, at 1 o'clock, P. M.

On motion of Mr. ANDERSON, it was

*Ordered*, That when this House adjourns, it shall be adjourned to meet to-morrow, at 12 o'clock, M.

Mr. BOYKIN, from the Committee appointed to count the votes cast on the ballot for Messenger, reported that Mr. Thomas W. Dinkins had received a majority;

Whereupon the SPEAKER announced that Mr. Thomas W. Dinkins was duly elected Messenger of the House.

Mr. SIEGLING introduced the following resolution; which was ordered for consideration immediately, and was agreed to:

*Resolved*, That the rules of the last House of Representatives be adopted as the rules of this House.

On motion of Mr. THORNWELL, the House was adjourned at 35 minutes past 4 o'clock, P. M.

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TUESDAY, NOVEMBER 28, 1854.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following additional members attended, produced their credentials, were sworn, and took their seats.

*From Abbeville.*—Messrs. S. McGowan, and B. Z. Herndon.

*From St. John's, Colleton.*—Mr. Wm. Bailey.

The following additional members attended, were sworn, and took their seats:

*From Richland.*—Mr. Wade Hampton, Jr.

*From St. Peter's.*—Mr. John P. Paymond.

The SPEAKER administered the constitutional oath of office to Mr. John J. Richardson, Reading Clerk of the House, and Mr. Thomas W. Dinkins, Messenger of the House.

Mr. BRYAN, from the Committee appointed to count the votes cast on the first ballot for Doorkeeper of the House, reported that no candidate had received a majority, and that there was, therefore, no election.



The House then proceeded to the second ballot for Doorkeeper of the House.

The SPEAKER then proceeded, under the Rule of the House, to call for Petitions, Memorials, Presentments of Grand Juries, Returns of Commissioners; and such like papers, in the alphabetical order of Judicial Districts, commencing at Abbeville.

Mr. THOMSON presented the account of S. A. Hodges, Sheriff of Abbeville, for articles furnished to prisoners. ;

Also, the account of Drs. Wardlaw & Lyon, for professional services to prisoners;

Also, the account of Drs. Wardlaw & Lyon for a *post mortem* examination ; and

Also, the account of B. V. Posey, for services rendered the State ; which were severally referred to the Committee on Claims:

Mr. HEARST presented the petition of Thomas C. Devlin, praying to be allowed to hawk and peddle in the District of Abbeville without the payment of the tax now imposed by law ; which was referred to the Committee of Ways and Means.

Mr. MCGOWAN presented the petition of R. N. Archer, M. D., for compensation for *post mortem* examination ; and

The petition of Larkin Barmore, for compensation for two slaves executed ; which were severally referred to the Committee on Claims.

Mr. MCGOWAN also presented the petition of Abner L. McWhorter, to have his name changed to that of Abner L. Clinkscales ; which was referred to the Committee on the Judiciary ;

Also, the petition of Elizabeth Varan, for a pension, and for arrears of pension due to her deceased husband, Edward Varan ; which was referred to the Committee on Pensions.

Mr. NOBLE presented the petition of sundry citizens of Abbeville District, praying the opening of a new public road between Greenwood and Cokesbury ; which was referred to the Committee on Roads, Bridges, and Ferries.

Mr. WILKES presented the petition of Goodhope Church, praying an Act of Incorporation ; which was referred to the Committee on Incorporations.

Also, the petition of J. W. Guyton, late Sheriff of Anderson, praying compensation for blankets furnished to prisoners ; which was referred to the Committee on Claims.

Mr. TROTTI presented the petition of Geo. J. Reed, praying to be refunded a double tax ; which was referred to the Committee of Ways and Means.

Mr. GRAHAM presented the petition of sundry citizens of Barnwell District, praying that the village of Williston be incorporated; and

Mr. TROTTI presented the petition of sundry other citizens of the same District counter thereto; which were severally referred to the Committee on Incorporations.

Mr. M. J. KIRK presented the petition of Dr. A. P. Bealer for a *post-mortem* examination; which was referred to the Committee on Claims.

Mr. CUNNINGHAM presented the memorial of the Calhoun Monument Association, of Charleston, praying an act of incorporation; which was referred to the Committee on Incorporations.

Mr. WAGNER presented the return of the Commissioners of Free Schools for Christ's Church Parish; which was referred to the Committee on Education;

Also, the memorial of the Town Council of Mt. Pleasant, praying an amendment of their charter; which was referred to the Committee on Incorporations; and

Also, the memorial of the Town Council of Mt. Pleasant, praying the modification of an act to open and extend Pitt street in said town; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. SIEGLING presented the returns of the Commissioners of Free Schools for St. Philip's and St. Michael's; which was referred to the Committee on Education;

Also, the petition of the South Carolina Savings and Building Association, praying incorporation;

Also, the petition of St. Thaddeus' Church, at Aiken, praying an amendment of their charter; which were severally referred to the Committee on Incorporation; and also

The petition of the Graniteville Company to regulate the navigation of Horse Creek; which was referred to the Committee on the Judiciary.

Mr. T. Y. SIMONS, JR., presented the accounts of the Charleston Courier for public printing; which were referred to the Committee on Claims.

Mr. BRYAN presented the returns of the Commissioners of Free Schools for St. John's, Colleton; which were referred to the Committee on Education.

Mr. McCRADY presented the memorial of the North-Eastern Railroad Company, praying the confirmation of their right to enter the corporate limits of the city of Charleston.

Mr. MITCHELL presented the petition of Joshua Lazarus and others, praying an act of incorporation for the purpose of furnishing the city of Charleston with water;

Also, the petition of the Fireman's Insurance Company of Charleston, praying an alteration of their Charter; and

Also, the petition of J. S. Bowie and others, praying an act of incorporation for a Mutual Insurance Company in the city of Charleston; which were severally referred to the Committee on Incorporations.

Mr. MITCHELL also presented the petition of the South Carolina Insurance Company, the Insurance and Trust Company, the Commercial Insurance Company of Charleston, and the Fireman's Insurance Company of Charleston, praying a change in the law as to the mode of taxing Insurance Companies, and the return of certain amounts paid by them during the past year; and

Also, the memorial of the City Council of Charleston, asking power to tax the banking houses and other real estate of the Banks within the city; which were severally referred to the Committee of Ways and Means.

Mr. MITCHELL also presented the memorial of the City Council of Charleston, in relation to the Quarantine Laws and Regulations; which was referred to the Committee on the Judiciary.

Mr. MELTON presented the return of the Commissioners of Free Schools for Chester District; which was referred to the Committee on Education.

Mr. McQUEEN presented the account of Alexander Williams, M. D., for a *post mortem* examination; which was referred to the Committee on Claims.

Also, the petition of Jno. C. and Jas. Chapman, praying additional compensation for building a new jail in Chesterfield District; which was referred to the Committee on Public Buildings.

Also, the petition of the "Merchants' Bank of South Carolina, at Cheraw," for an amendment of their Charter; which was referred to the Committee of Ways and Means.

Mr. LOWRY presented the petition of the members of Elisabeth Baptist Church, in Chesterfield District, to renew their Act of Incorporation; which was referred to the Committee on Incorporations; and also

The return of the Commissioners of Free Schools for Chesterfield District; which was referred to the Committee on Education.

Mr. J. B. PERRY presented the petition of Elijah Brown, praying for a re-charter of the "Cypress Causeway;" which was referred to the Committee on Roads, Bridges and Ferries; and

The petition of the President and Directors of the Walterboro' Ice House Company, praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. HAYNESWORTH presented the account of Evans & DeLorme for advertising; also,

The account of Dr. C. J. Flinn, for two *post mortem* examinations; which were severally referred to the Committee on Claims; also

The petition of the Cheraw and Darlington R. R. Company, praying for

increase of capital; which was referred to the Committee of Ways and Means.

Mr. J. C. WHALEY presented a petition, praying the re-charter of St. Paul's Church, Stone; which was referred to the Committee on Incorporations.

Mr. HART presented the returns of the Commissioners of Free Schools for Darlington District; which was referred to the Committee on Education.

Mr. MOBLEY presented the account of Dr. J. W. Pitts, for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. SULLIVAN presented the petition of Benjamin Hatcher, praying an allowance of money in satisfaction of the pay proper of his father, Capt. Benjamin Hatcher, for his services during the war of the Revolution; which was referred to the Committee on Pensions.

Message No. 1 was then received from his Excellency, the Governor, and was read by Mr. John P. Richardson, Jr., his Private Secretary.

#### MESSAGE NO. I.

*Gentlemen of the Senate  
and House of Representatives:*

Under the uniform action of our system of government, without strife or confusion, new members to the General Assembly have been chosen, to represent the latest views of the people of this Commonwealth, and otherwise to provide for their happiness and welfare. Although this event is of regular recurrence, it is, nevertheless, one full of interest both to you and your constituents.

In a country like this, so rapidly growing, and developing each day new events and fresh resources, the legislative mind may well be anxious lest, by the omission of some act—the neglect of some duty—the progressive strides of the State towards wealth and power may, for a space, be retarded. A strong inclination to progress is a characteristic of the race which you in part represent, and is, perhaps, the secret of Anglo-American success and ascendancy. Its spirit prevails over the continent, and is continually hurrying us into new positions of theory and of government. It pervades, to a greater or less extent, every State in the American Union, and is incorporated into its laws, religion, industry and politics. But, on the other hand, all well-regulated understandings will regard, with something like anxiety, that restless desire for change in fundamental principles of government, and strong inclination to specific legislation, as encouraging, to an undue extent, the tendencies of popular institutions to run into extremes of opinion and action, the end of which is license without liberty, and law without the assurance of order.

Whilst the State for which you legislate can scarcely be said to have kept pace with others in this rapid march of improvement; it may be claimed for it that it has more surely attained those qualities of government which are most likely to ensure the greatest amount of real happiness to the citizen—maintained a higher degree of social order—preserved a more even balance of power among the co-ordinate branches of government—and been less controlled by cupidity and ambition, those certain forerunners of national degeneracy. Well, then, may you take pride in your State. The feeling is always admissible, but especially so when you live under a Constitution and laws conceived in justice, and administered with purity—under a Legislature independent in its views, and capable and rapid in the discharge of its functions—under Executives content with their limited prerogatives—under a religion without the heterodoxies of these present days—and under a sound, just and high-toned public sentiment. I cannot, therefore, recommend to you, gentlemen, too strongly to watch over with solicitude this noble political organization, and to preserve it from those changes and innovations which tend to weaken, and eventually to destroy, the happy equilibrium which exists; and I fervently hope that, far down in the vista of time, when all memorials of us are lost, except those which may remain among its archives, a gracious Providence will preserve this State Government, in all its usefulness and beauty, to remote posterity, fresh and glorious in its immortal youth.

The year, which is now nearly past, has been one of great calamity throughout the world. War and pestilence, disasters on the ocean, commercial anxieties and distress, with gales and drought materially shortening the grain and other crops, are some of the melancholy incidents which have marked it. Nor have the people of this State escaped the common misfortunes. The metropolis and some of the lesser towns and portions of country have been visited by a fatal fever, and other diseases almost as destructive to life, which for a time have arrested all business, destroyed a number of valuable lives, and invested their communities with a profound gloom. But few families are without some sorrowful event to call to their recollection the past summer as a period of severe trial and mourning. Still we have abundant cause for gratitude to God, for arresting the ravages of disease, and for restoring both the city and country to their usual health.

The aggregate income of the State from agricultural sources, for the present year, is likely to be materially diminished. The yield of short cotton to the planters, notwithstanding a most favorable season for gathering and preparing it for market, will scarcely be equal to the crop of last year, whilst the long cotton and rice on the seaboard have been very much injured generally, and in some instances entirely destroyed, by the equinoctial storms. These numerous circumstances, taken into connection with the stringency in

the money market, and the consequent check given to commerce and trade, induce a strong necessity for economy both in disbursement of money from the Treasury, and in private expenditures. Fortunately, owing to the previous comparative freedom from debt in the State, the losses both in business and agriculture will only work a temporary injury, which ordinary prudence cannot fail soon to remedy.

For an abstract of the condition of the finances of the State, I beg to refer you to my last annual message.

The nett profits of the Bank of the State for the present fiscal year amount to the sum of two hundred and ninety-five thousand dollars, (\$295,000,) against three hundred and thirty thousand dollars (\$330,000) the nett profits of 1853, thus showing a diminution in the income of the State from that source to the extent of thirty-five thousand dollars, (35,000.)

It was to have been anticipated that the profits of the Bank for the present year would fall short of that of the year previous. The great stringency in the money market, which has extended over the whole country, necessarily curtailed its operations. I herewith have the honor to lay before you the Annual Statement of the Bank to the first of October, 1854, showing total funds to the amount of seven millions three hundred and eight thousand six hundred and five dollars and fifty cents, (\$7,808,605 50.)

During the year, twenty-five thousand dollars (\$25,000) have been applied to the reduction of the State debt.

By comparing the balance in the Treasury on the 1st of October, 1853, with that of a corresponding period during the year 1854, it will be perceived that there is a falling off of eighty-one thousand four hundred and sixty-three dollars and five cents, (\$81,468 05.) The income derived for several years from stock in the South Carolina Railroad Company will be withdrawn from the Treasury, in consequence of its exchange for stock in other Railroad Companies. On the other hand, there is reason to suppose that the cash receipts from taxes will considerably exceed those of the last year. In the Upper Division alone, the receipts from this source exceed those of the year previous by the sum of eighteen thousand five hundred and thirty-eight dollars and seventy-two cents, (\$18,538 72.)

In June last, I received from Mr. Anthony Hyde, of Washington, a Treasury draft for seventeen thousand seven hundred and eighty-six dollars and five cents, (\$17,786 05,) which I have placed in the Bank to the credit of the State. This is a portion of the sum appropriated by the last Congress in satisfaction of a claim made by this State for losses sustained in equipping a regiment of volunteers, in 1836, for the Florida war. It appears that there is the further sum of fifteen hundred and eighty-three dollars (\$1,583) still due under the appropriation.

A charge of ten per cent. for commissions was made by Mr. Hyde for col-

lection, but I did not conceive myself authorized to pay it without authority from the Legislature. Until this question is determined by you, I have suffered the fifteen hundred and eighty-three dollars (\$1,583) above mentioned to remain in the United States Treasury, to meet such compensation as you may allow.

I herewith lay before you both Mr. Hyde's report upon the case and other papers connected therewith.

At the last annual meeting of the Legislature, in connection with the Comptroller General, I was directed, by Act, to issue bonds of the State to the amount of two hundred and fifty thousand dollars, (\$250,000,) for the purpose of forwarding the construction of the new State Capitol. The bonds were accordingly prepared under the immediate auspices of the President of the Bank, were duly executed, and offered in the market for sale. But, owing to monetary difficulties, there was little or no demand for such securities, and but a portion of them were disposed of. Under these circumstances, after consultation with the President of the Bank, it was deemed advisable for him to proceed to New York, and offer them in that market. There he found similar difficulties, somewhat increased from the fact that the bonds were made payable at the State Treasury, and not in New York, as was preferred.

|   |              |
|---|--------------|
| He nevertheless effected a sale to the amount of.....   | \$130,000 00 |
| Upon which a premium was received nett of.....          | 3,393 64     |
| There remained unsold bonds to the amount of.....       | 120,000 00   |
| Of these there are lodged in the Bank of the State..... | 20,000 00    |
| And in the Bank of the Republic, New York.....          | 100,000 00   |

In connection with this statement of our financial affairs, I desire, with great deference, to submit a few suggestions with regard to the present condition of banking operations, their effect upon the money market and upon the people and business of the State.

The Legislature, two years since, acting under what appeared then to be a general demand for increased banking facilities, established a number of new Banks, thereby enlarging the banking capital to the extent of two millions, six hundred and eighty-five thousand four hundred and seventy-five dollars, (\$2,685,475.) The impression seemed generally to prevail that this step would make money more abundant, and that the increased want of it, both for commerce and internal transactions, would be amply met. Those who dealt in stocks, and in foreign and domestic exchange, joined the agricultural interests in the demand; and the result, as has been clearly demonstrated by experience, has disappointed the expectations of both. Instead of increased discounts by notes in a period of unusual difficulty in money affairs,

and an increased amount of money in circulation, the discounts are less than they were previous to the establishment of the new Banks, and the want of money greater than at any period since the commercial disasters of 1837. Both those who deal in stocks and exchange, and those engaged in agriculture, are alike clamorous for some legislation to remedy existing pecuniary evils.

It is proper to inquire into the causes which have led to these results, and to endeavor to suggest a remedy, which I shall do as briefly as possible.

It is well known that previous to the creation of the new Banks, at least one-third of the capital and credit of the old Banks was employed beyond the limits of the State, which would go to show that even then there was too much Banking Capital. With the recent increase of it, the amount sent abroad is greatly enlarged, and perhaps is equal to half of all the Banking Capital in the State, and whilst Stockholders are benefitted by this mode of operation, the wants of the great mass of the community are neglected. It is certainly to be expected, that the money of the Banks will be employed in those places from which the largest per centage in business is to be derived, and that, where the interest at home is restricted to six per cent., capital will go where ten and fifteen per cent. is to be had.

The utter failure of banking in Mississippi, Alabama, and Florida, opened a new and extensive field for the employment of Bank Capital; and the reputation of the Banks of South Carolina, and the credit which is attached to their issues in those States, together with the large per centage to be derived there, were a strong temptation to our Banks to send their means abroad. The result of their operations was evidenced by largely increased dividends, which for several years reached six and eight per cent. per annum, and more recently went as high as ten to fifteen per cent. They invest large amounts in those States, in the purchase of bills payable in New Orleans, Mobile, and other Western cities, and when they arrive at maturity, the funds are re-invested, in bills payable at the North or in Europe. These funds centre chiefly in New York, to the extent of their circulation in the West, where they draw interest, or, as is generally the case, are invested in Southern paper. All these changes afford a large per centage on the money in use, and it is, therefore, not surprising that the citizen cannot borrow money at home from Banks at the rate of interest fixed by law. It is in this way that in the past eight months it is supposed that the aggregate amount of exchange operations more than equals loan on notes, and that the sum of notes discounted is actually less than it was before the new Banks were established. During a period that those States already named banked for themselves, and furnished a supply of paper currency to their own citizens, the Banks of this State were paying only five to seven per cent. per annum in dividends, thus showing conclusively, that a very large portion of our banking capital was,



and is, diverted from the uses of our own people to supply the financial necessities of the people of other States. I shall not here refer to the hazards in banking, and other incidental objections to such a system, where the field of financial operations is so remote and uncertain. My object is to state such facts as will form the basis of legislation to remedy former errors, satisfy the public wants, and correct the present evil as far as it may be done with safety. But upon this head a great difficulty presents itself as to a mode which will not embarrass the community, affect the value of property, or interfere with public credit.

Undoubtedly the power rests with the Legislature to alter or amend Bank Charters. They are no longer independent as formerly, but are in all respects subject to your revision. To use that power, however, unless for the strongest reasons, is always questionable, and sometimes dangerous, as evinced by the financial history of other States, particularly in the West.

The law regulating Banks in Massachusetts was intended to be an effectual check upon the abuses practised by them. That law restricts them to operations at their own counters; denying them the privilege of establishing agencies abroad. If such a rule is never evaded, it may be attributed rather to the honesty of officers than to any want of financial skill. An evasion of the law is rendered easy by making loans to agents, who shall stipulate to circulate the issues of Banks paying a fixed sum for their use; obligating themselves to make returns at the time agreed upon, and stipulating also for the description of assets to be received by the Banks in return. It is of more than doubtful policy to pass any law which can be so easily rendered nugatory. Besides, if complied with, manifest injury would result to a portion of such institutions. Banks in this State usually transact a large amount of their business through agents, and are dependent upon them for a supply of Northern exchange, which can only be obtained in the seaports. To prohibit the use of agents to the country Banks would seriously embarrass them. Without exchange, they could not supply the wants of the interior, and their issues would, therefore, be depreciated in the seaports; thus giving to Banks there located a great advantage in business.

In questions of so much complexity as those relating to banking, it is extremely difficult to point out a remedy for errors which exist in the system. In the case, however, which I have presented to you, the evils will, in part, effect their own cure. When Alabama shall have increased her private Banks, and thus supply the monied wants of her own people, the necessity for which she now feels and is beginning to remedy, Mississippi and Florida will follow the example. In that event, the field of operation for the Banks of this State will be circumscribed, and Banking, having its business diverted from those channels, will retain in the State a greater abundance of capital.

There is another measure which is a still more effectual remedy for the

scarcity of money now existing, notwithstanding the excess of Banking Capital in the State, which is the abolishment of the usury laws, in order to bring private and foreign capital into competition with the Banks. Provided laws do not make investments insecure, the deficiency of money in one place is certain to be supplied from another, where, as it becomes abundant, the rates of interest are necessarily lowered.

There has always existed a prejudice against usury; and it certainly was to be condemned where the coin of a country was the only circulating medium, and money was hoarded for loan at exorbitant rates of interest; thereby placing it in the power of such individuals as possessed it, to a certain extent to hold his neighbor's property at his mercy. But since that period, now that the commerce of the world is carried on by the credit system; and bills of exchange, and promises to pay, to a large extent, are the circulating medium, money becomes valuable in proportion as the exigencies or prosperity of trade make it so. Money, like everything else, ought to have a relative, not a fixed value.

In this State the Usury laws are rarely enforced, and in numberless instances are altogether disregarded. Large sums of money are constantly being invested at exorbitant rates of interest. In New York the paper of citizens of the State is frequently purchased at a very large discount. It often happens that the best is thus forced off by the impossibility of procuring money at home, with the necessity of obtaining it either to meet stringent present engagements, or to operate in profitable investment.

The discussion of this measure is not a new one. Its adoption is urged with great force in many of the States of the Union, and the change is destined eventually to be made. If it be effected in neighboring States, we cannot avoid it here. England, that wise nation, and especially wise in her commercial policy, has already abolished her usury laws, gradually, to be sure, in the first instance only affecting her commercial transactions; but the change is now complete, and is applied to all her business.

Without opposition to any of the institutions or vested interests of the State, I have placed this subject before you for consideration. I have no desire to urge it beyond that point, and leave the question to be decided by your intelligence and judgment.

I herewith submit to you a report from the Comptroller General, touching the state of the records of his office, which is worthy of your consideration. The condition of the papers and documents referred to, seem to require some attention and labor for their more complete preservation; and the terms upon which he proposes to have them properly arranged, indexed, and copied, where it is necessary, appear to be moderate and just.

Upon referring to the Revolutionary and Colonial records, I find several chasms which should be filled up, in order to make them perfect. I think

it advisable, therefore, to authorize the Governor to procure such copies of the missing papers as can doubtless be obtained from the English Archives.

I beg leave to lay before you the reports and accompanying papers upon the subject of the new State Capitol. They will be found to be full and explicit.

In my last Annual Message, I had the honor to state to the Legislature that the new State Capital was in proper progress of construction—that the auspices under which the work was carried on were satisfactory—that the work itself was executed in a manner at once elegant and substantial—and that a building would be erected upon the foundations then laid, which would reflect credit upon the taste of the State, and be in every way worthy of her dignity. Since that time, however, I have cause to authorize a radical change of my opinion upon this subject.

Soon after the adjournment of the Legislature, the basement of the north wing was so far completed as to warrant an order from me for the removal of all the papers belonging to the officers of the several departments of the State Government into the new apartments, erected for them in that portion of the building. I deemed this step necessary for the protection of the Records and Archives from danger of fire and other destructive causes, during the removal of the old capital to its present site. Soon after this event, and during the past spring, the Commissioners appointed by the Legislature to superintend the construction of the new Halls of Legislation, became concerned about certain indications of faulty work in the edifice. Prompt enquiries were instituted. The services of an architect, of acknowledged ability and large professional practice, were called into requisition. At first, the imperfections of the work were not thought to be of a serious character, and that by taking down and reconstructing an inconsiderable portion of it, all defects would be remedied, without loss to the State. In the meantime, the original Architect was superseded in his employment, by placing Mr. Walker in immediate charge of construction, and by engaging the services of Mr. John R. Niernsee, of Baltimore, as the Consulting Architect. To be able to obtain the aid of these gentlemen was deemed by the Commission a fortunate event, as, in addition to their valuable services, the rate of compensation to them per annum, together with the salary paid to Mr. Kay, the Assistant Architect, would not exceed the sum which the late Architect would have received, had no cause occurred to retard the progress of the work.

Scarcely had the superintendence of the building been reorganized, when other defects, of a more serious character, were discovered, not only in the walls, but in the very foundation, commencing with the laying of the corner stone itself; and a reasonable doubt existed in the minds both of the Commissioners and Architects, if the defect in the groined arches and the walls of the basement story could be remedied, whether the foundations would

bear the great weight which they would be required to sustain. The Commissioners believed that no doubt upon this subject should be suffered to exist, and they accordingly, after mature deliberation and consultation with the Architects, gave the order for taking up all the work which to that period had been done upon the edifice. This order has been carried into effect. The material which is available in the construction of another building has been carefully removed, and placed where it can be used for that purpose, as the Legislature may hereafter direct.

The loss which the State will for the present sustain by this failure in the erection of the new Halls of Legislation, has been clearly ascertained, and will appear in the following statement. The particular items are contained in the accompanying report of Mr. Walker, the Constructing Architect.

The sums advanced from time to time by the State for the erection of Fire Proof Buildings, and subsequently for a new State Capitol, amount to.....\$315,000 00

|   |            |
|---|------------|
| Total amount expended on building.....                            | 223,213 12 |
| Value of property and material on hand ready for future use.....  | 150,945 37 |
| Loss in workmanship, material, &c.....                            | 72,267 75  |
| Balance in State bonds and cash on hand.....                      | 91,787 00  |
| In this amount expended is included for square opposite Capitol.. | 36,000 00  |
| For removal and repairing of old Capitol.....                     | 14,000 00  |

In the sum of seventy-two thousand two hundred and sixty-seven dollars and seventy-five cents, (\$72,267 75,) is not included the forfeitures by contractors under their stipulations with the Commissioners, each of whom gave bond with ample security for the faithful performance of work. The bonds were drawn in proper legal form, distinctly defining the manner in which each kind of work should be executed, and no doubt can exist that the contracts are clearly violated. To what extent the State can recover damages by a process of law is yet to be determined. The Solicitor of the Commission, Hon. Mr. DeSaussure, has been instructed to take such steps in the premises as will protect the State from loss.

The Commissioners commenced, and for some time continued work under the contract system, by which, of course, considerable profits accrued to contractors, although the rates paid for work were not larger than are usually admitted for buildings of that character; but recently, under a complete re-organization of the whole system for construction, contracts have been terminated, and the work is now carried on by day labor under the immediate auspices and supervision of architects and foremen by which all profits accrue directly to the State amounting to at least twenty-five per cent., whilst at the same time labor is now systematically applied and work more faithfully executed. By this it will be seen that all losses hitherto arising will be completely covered before the building is much more than half completed, and

when completed, taking it for granted that a million will be expended upon it, a large amount will actually be saved to the State.

As a strong necessity is apparent for the construction of new Halls of Legislation from the insecurity and decay of the building now occupied by you, it is to be presumed that your original intentions will be carried into effect. In that event I recommend a change of position for the new edifice. By locating it at the intersection of Senate and Richardson street with northern and southern exposures it can be seen without obstruction from the four points of the compass and will present an appearance more dignified and imposing. Should this suggestion be adopted, it would be necessary to increase still more the area of ground about it. If the change of location be made, in the end perhaps it may not be a subject much to be regretted that delay and disaster attended the first efforts to construct a new capitol for the commonwealth.

I have thus laid before you a plain and truthful statement of the facts connected with this subject. Doubtless great dissatisfaction exists as to the action of the Commissioners in the premises. You will judge them with calmness and equity. They had many difficulties to encounter. Quarrying and working granite is a new business in this State, and competent contractors and mechanics are difficult to procure. No public edifice of the magnitude of this has ever yet been constructed here. The Commissioners have long felt the embarrassment and responsibility of their position. They have only been sustained in their efforts by a sentiment of devotion to the State and a sincere desire to be useful to it. To them the labor has been one of love. They neither expected or desired compensation for their anxiety, toil and expense; and their chief desire now is that their efforts, through fruitless, shall be regarded by their fellow citizens as having been directed by zeal and a strict integrity.

I recommend to you the appointment of a Special Joint Committee to institute the strictest scrutiny into the reports, statements and accounts herewith submitted; and present to your body a plan for your future action upon this subject.

The South Carolina College upon which you have bestowed so much fostering care and beneficence, continues to deserve your favor and protection. Under the auspices of its present able and distinguished head, it has been steadily increasing in popularity and usefulness. The laborious efforts, both of his predecessor and himself, to elevate the standard of character and scholarship, have been attended by signal success; and the reputation of the Institution in this regard, has been both exalted and extended. In common with all who have the best interest of the State at heart, I earnestly hope that he may long continue to discharge the functions of his high office. Talents and qualifications such as his, belong to no party or sect. They are

the property of the State which they have benefitted and adorned by their exercise; and she looks forward with confidence to his continued supervision of an Institution, which was intended to be, and is, the nursery of her character, genius, and scholarship.

During the past year, the College has been benefitted by two noble endowments, and in after years, many a youth, ardent in his search after knowledge and in the pursuit of fame, will pour from his heart blessings upon the names of Allston and Hutchinson.

A half century has expired since the establishment of the College, and after various fortunes and vicissitudes of life, the Alumni are about to assemble to renew their reverence for their Alma Mater, and for a brief period, to freshen the memories of early years. For a day, at least, all of her children are to assemble under the maternal roof; and whilst she embraces and blesses her living sons, she will also weave wreaths of *immortelles* for those who died in their early prime. The scene will be one full of interest, and I hope of usefulness; and I recommend you to take such steps as will give increased effect and dignity to the occasion.

Each year convinces us of the wisdom which dictated the establishment of the Arsenal and Citadel Academies. They have afforded a practical education to the youth who have been placed there, the effects of which are more sensibly felt, each day throughout the State. Their knowledge of tactics acquired during the academic term, is plainly perceptible in improvement in the drill of a large portion of the Militia; and their attainments in engineering and surveying, is fast supplying, and will soon supply altogether the demand for that kind of knowledge in the State. I have no hesitation in expressing the opinion that more benefit has arisen from the few thousand dollars expended annually upon these schools for ten years past, than has accrued to the State from the application of the free school appropriations for thirty years previous.

I cannot omit to bring to your notice the efficient, laborious, and disinterested services of the Chairman of the Board of Visitors. Nothing can be more prompt, uniform, and systematic than his administration of affairs; and as long as he continues in his present position, I feel sure that increased success will attend his efforts. I commend these Academies to your especial care and liberality.

The State makes provision annually for the education at the South Carolina College of one youth from the Charleston Orphan House, to be selected by the Commissioners. The choice is usually made as a reward for merit, and the privilege has resulted in making many useful and distinguished citizens. Through me the Commissioners now ask that suitable arrangements be made for one at the Citadel or Arsenal Academy, not only on account of the benefit which will arise from it to the individual, but as an additional

inactive to exertion on the part of the students in the Orphan House. I cheerfully add my recommendation to their application.

I herewith present for your consideration a memorial from the Trustees of the Roper Hospital, asking aid from the State to assist in increasing their means to such an extent as to enable them to open their building, and make it subserve the purposes for which it was originally intended. The means at their disposal are too limited at present to carry this object into effect, and during the prevalence of the epidemic of the past season they were forced to depend upon private liberality to render it available for a temporary period as a hospital for the sick. Citizens from all parts of the State contributed to this object, but of course these resources were withdrawn after the violence of the disease had subsided. With the establishment of the hospital, having as adjuncts the benevolent associations of the city, the horrors of these fatal epidemics can be materially mitigated. I refer the papers for your consideration and the exercise of your judgment.

There appears to be some objection on the part of our people to the operation of the Militia System of this State; and doubtless, efforts will be made during the session essentially to alter or abolish it. To say that it is without defect, would be to claim for it a merit which no institution possesses. But with my official experience, and from the observation of those who have taken an interest in it for the last thirty years, I am disposed to think it indispensable for the preservation of the martial spirit of our people. No one is wise enough to foresee the necessity which may arise for the exercise of those qualifications of the citizen which the military organization is intended to cultivate. Issues are pending bearing great consequences along with them, and every one who examines the course of events must feel that at any moment may arise questions which will demand an exhibition of those qualities which have hitherto given an enviable precedence to the citizen soldiery of this Commonwealth. I recommend that all matters connected with the Militia System be referred to a board of competent officers, whose duty shall be, with ample time for deliberate investigation, carefully to revise it, and submit the result of their labors to you at your next session. Accompanying this document is the report of the efficient Adjutant and Inspector General upon this subject.

The question of reform in the Free School system, has largely engaged the attention of the people during the past year. It has every where been discussed, and the conviction is generally established that radical changes are necessary, in our present plan of public instruction.

In my last annual message I expressed the opinion that it would be premature to adopt, at that time, any plan, that might be submitted for your approval, to reconstruct the system; but advised the appointment of a Minister of Public Instruction, and subsequently a Board, to act in concert with him,

by whose united labors a plan complete and adequate can be digested for your ultimate adoption. I cannot give the reasons for this recommendation in a manner stronger or more forcible, than by using the language of one whose ability all acknowledge.

"All therefore that I would now press upon you is, to have public instruction erected into a department of the State Government. That is the first and an indispensable step; and until that is done, there never can be a plan adequate, consistent, successful:

"What we first need is a collection of the facts from which the data of a proper system may be drawn. We must know the number of children in the State, of the ages at which children are usually sent to school, the kind and degree of education demanded, the relative distances of the residence of parents, the points at which school houses may be most conveniently erected, the number of buildings required, the number of teachers, and the salaries which different localities make necessary to competent support. Facts of this sort must constitute the groundwork. In possession of these, we may then proceed to compare different systems, adopting from among them that which seems to be best adapted to our own circumstances, or originating a new one, if all should prove unsatisfactory. All, therefore, that in my judgment, the Legislature should undertake at present, is to acquire this preliminary information, including the accumulation of facts, the comparison of different Common School systems, and the digest of a plan suited to the wants of our own people. This can be done by the appointment of a Minister of Public Instruction, who shall be regarded as an officer of the government, compensated by a large salary, and who shall give himself unreservedly to this great interest. Let him be required to traverse the State, to inspect the condition of every neighborhood, and, from personal observation and authentic testimony, let him become acquainted with the number, the extent and the circumstances of the children. Let him be prepared to say where school houses can be most conveniently erected, the distances at which they should be removed from each other, the kind of teacher needed in each neighborhood, and let him indicate what sections of the State are unprepared for schools in consequence of the dispersion of their inhabitants. Let him be able to give some probable estimate of the expense incident to the successful operation of an adequate scheme. In the next place, it should be his duty to master the existing systems, whether in this country or Europe, and to lay before the Legislature a succinct account of their fundamental provisions. Let him propose the scheme which he thinks ought to be adopted here, and let his report be referred to an able and learned Commission, charged with the final preparation of such a scheme as we may be ready to enact into law."

The expense of carrying into effect the foregoing suggestion should be defrayed out of a reserved per centage upon the present Free School appro-



priation; thus saving additional drafts of money from the Treasury, and making the Free School Fund correct, ultimately, the abuses and defects of the present system.

I had the honor at your last session, to submit to you a statement of the condition of the Blue Ridge Railroad enterprise, and also certain suggestions with regard to improvements in the State Asylum for the Insane. Upon these two subjects my opinions, then expressed, remain unchanged; but I forbear to press them upon your consideration for reasons which are obvious to you and which you will not fail to appreciate.

Upon the subject of the Asylum I herewith submit for your perusal and careful consideration an elaborate statement from the able physician of the Institution, whose long experience and thorough investigation of the subject entitles his opinions to the highest respect and credit. It presents such a variety of facts and arguments, as cannot be embraced, even were it desirable, in the limited space of an annual message. I entreat your examination of them as authority at some future day for your action upon this subject. One fact appears to me to be indisputable, that it would be erroneous policy on the part of the State to expend any farther sums upon the present premises and location, beyond the usual annual appropriation, but reserve its means for a future occasion when radical changes may be regarded as indispensable, for the greater comfort and benefit of the unhappy occupants of that cheerless abode.

Upon the subject of the Blue Ridge Railroad, I beg, with the greatest deference, your attention to two enquiries. First. Should the enterprise be abandoned for the want of funds to continue it, whether the limitations attached to the agreements between the several companies in their amalgamation into one, will not eventuate in a separation; and if so whether or not, there is a probability of their being ever again united, so as to afford the same advantages to this State, in the matter of western trade and commerce.

Second.. Whether, in the event of a failure in the Blue Ridge Railroad enterprise, there is a reasonable hope that North Carolina will allow any Road in this State, uniting with one in that, to connect with her great Road leading across the Alleghanies to the West, except with such a change of gauge or the substitution of other difficulties, as will forever prevent the people of this State from availing themselves of the advantages of trade with the valleys of the West through that channel. These are serious considerations, and are worthy of your gravest inquiry. My own conviction is, that the advantages which we now possess under present charters once lost, are lost forever.

I have the honor to lay before you a letter from His Excellency the Governor of Georgia, accompanied by the report of a Special Joint Committee of the Legislature of that State, upon the subject of the "Memorial of the

City Council of Augusta in relation to the bridge across the Savannah river'' at that place, with the request that I would submit the same to your consideration.

At your last session, I was instructed, in conjunction with the Attorney General, to take such steps as were necessary on the part of this State to submit the questions at issue between herself and the State of Georgia upon the subject of boundary on the Savannah river to the adjudication of the Supreme Court of the United States. In conformity with this injunction, I addressed a communication to His Excellency the Governor of that State, inviting his co-operation in this measure. I have not yet received a reply; but earnestly hope that the propriety of such a step will be conceded, as the easiest and most equitable mode of adjusting this long-standing question.

In April last a very large and harmonious Commercial Convention was held in the city of Charleston, which took certain initiatory steps, among various other measures, towards the formation of the Southern Pacific Railroad Company. The Committees appointed by the Convention have submitted the form of an Act of Incorporation of the said Road to be adopted by the Southern States. I herewith submit it, together with other papers connected therewith, to your inspection and consideration.

I also transmit to you certain Resolutions from the Legislature of Connecticut and Rhode Island; also certain decrees, regulations, and instructions by His Majesty the Emperor of the French, in relation to the Universal Exhibition to be held in Paris in 1855. This latter paper was officially forwarded to me through the Secretary of State of the United States, and I have accordingly appointed three Commissioners to take charge of such products and other articles from this State as may be intended for exhibition.

I would again call your attention to the condition of our enactments with regard to the introduction of free persons of color employed as mariners or otherwise on board of vessels trading with our seaports.

You are, of course, aware that some of these provisions have long proved a source of dissatisfaction, and have even been regarded by friendly powers as to some extent inconsistent with our international obligations. The efficiency, too, of the present regulation for the purposes designed has been doubted by many who have given some attention to the subject. Various circumstances, to which it is now unnecessary to allude, seemed for a time to render any alteration inopportune. I would, however, recommend it as a subject worthy of consideration on your part, whether some judicious modifications may not at the present time be adopted—and whether, while providing sufficiently against any attempt at mischievous interference on the part of such persons, and vesting power in the municipal authorities to enforce all proper police regulations, the object in view may not be effected in a mode less offensive to other governments. Other States which had

adopted similar provisions have modified their enactments without, as I have been informed, experiencing any pernicious consequences.

While we could never consent to surrender or impair our right to treat the subject with a view exclusively to our own sense of policy and expediency, it is at the same time I think becoming to make proper concessions, consistent with this, to what may be fairly regarded as only an attitude of friendly remonstrance.

At your last session you passed a very important Act relative to the registration of Births, Deaths, and Marriages. As the appointment of Registrars took place after many of the Tax Collectors had commenced their duties, and the books and formulas required time for their preparation, the return has been an imperfect one. I herewith send you the Report of the Registrars, and invite your attention to the suggestions for such modification of the law as will increase its efficiency and valuable results. No appropriation having been made for carrying out the Act, it became necessary for me to charge the Contingent Fund with the necessary expenditure for books and schedules.

As a constituent part of the American Confederate Republic, the existing aspect of our foreign relations is a matter of deep interest, and requires from you watchfulness and solicitude. The laws of comity, which regulate the intercourse of nations, a discreet and sound policy towards ourselves, and the good faith to be observed in maintaining the terms of treaties, should make this nation carefully avoid both the reality and appearance of attempting, directly or indirectly, to grasp any portion of foreign dominion. Whatever can be effected that is desirable for the country to achieve, by open treaty with a distinct and separate power, is a question of policy alone, to which there can be no objection; but beyond this the government has no right to go, whether through the agency of unlawful enterprises at home, or indiscreet and anomalous ministerial interference abroad.

Events are transpiring in portions of this Confederacy which are well calculated to arrest the attention and excite the vigilance of the Southern people. The results of the late popular elections in certain sections of the Union threaten yet more seriously to disturb the repose, which for a brief period has existed. Those who maintained just and constitutional views of Government policy have been rudely thrown aside, and politicians returned to office who entertain sentiments destructive to the duration of this Union. It is a significant indication of the times, when certain individuals and States have the hardihood to select from the Constitution such portions as subserve their own dangerous and disorganizing views, and reject others to which they are opposed; conduct which, if fully carried out, would create the worst sort of despotism. These indications cannot be disregarded by the Southern people, and are of the deepest interest to the whole Confederacy.

The man does not live who can tell the results of a separation of these States; but no people possessing a constitutional government deserve to enjoy its blessings, if they are not prepared ultimately to risk all the consequences of it. But as the Chief Magistrate of this Commonwealth, and looking to these issues, the last thing that I would advise would be violence, intemperance, or precipitation. Calm deliberation before action is essentially the best element of success in great movements. As a fundamental proposition, these States had before the adoption of the Federal Constitution, and have now, constitutional organisations, capable of performing all the functions of independent governments; and have the power, under a cordial understanding, not only to protect themselves effectually, but, by a concert of action, to preserve the Federal Government also; and it would be a noble exercise of it, by exhibiting a perfect union of feeling, sentiment and interest, to arrest its rapid march towards the licentiousness and anarchy which otherwise surely await it.

Discarding all State and political jealousy, let the rulers and public men of the South unite upon this great principle of conservatism and preservation; and the Constitution and the Union are safe; without such union, all is lost.

I devoutly commend you, gentlemen, to the protection of that Power, who binds those whom He loves by the closest bonds of affection, and disperses those whom He condemns because they forget him.

JOHN L. MANNING.

COLUMBIA, November 27, 1854.

On motion of Mr. READ, it was ordered that two thousand copies of the Message of his Excellency and the accompanying Documents, be printed, and that the Message and the said Documents be made the special order of the day for to-morrow at 1 o'clock, P. M.

The SPEAKER renewed the call.

Mr. MORAGNE presented the return of the Commissioners of Free Schools for Edgefield District, for 1854; which was referred to the Committee on Education;

Also, the memorial and petition of the citizens of the town of Edgefield, praying an amendment to the Charter of said town; which were severally referred to the Committee on Incorporations.

Mr. CAUTHEN, from the Committee appointed to count the votes, cast on the second ballot for Doorkeeper, reported that Mr. C. H. DeLorme had received sixty-four votes, which number was a majority; whereupon the SPEAKER announced that Mr. C. H. DeLorme was duly elected Doorkeeper of the House, and administered to him the Constitutional oath of office.

Mr. SULLIVAN presented the petition of William Riley, praying compensation for extra services as Constable.

Mr. B. H. WILSON presented the account of Donier & Tarbox for public printing; and

Mr. B. F. PERRY, the petition of John Watson, praying compensation for the opening of a public road through his lands; which were severally referred to the Committee on Claims.

Mr. B. H. WILSON presented the return of the Commissioners of the Poor, for Georgetown District, on the transient poor fund, with a petition for increase of appropriation; and

Mr. B. F. PERRY presented the memorial of the Blue Ridge Railroad Company, praying State aid in the construction of their road; which were severally referred to the Committee of Ways and Means.

Mr. B. H. WILSON presented the returns of the Commissioners of Free Schools of Winyaw;

Mr. B. F. PERRY, the returns of the same Commissioners for Greenville; and

Mr. KERSHAW the returns of the same Commissioners for Kershaw District; which were severally referred to the Committee on Education.

Mr. CAUTHEN presented the account of R. S. Bailey, for public printing;

Mr. HAMMOND presented the accounts of James Adams, for blankets furnished prisoners;

Mr. SULLIVAN presented the petition of O. Richardson, praying compensation for the removal of prisoners;

Mr. SIMPSON presented the account of R. M. Stokes, for public printing; which were severally referred to the Committee on Claims.

Mr. SULLIVAN presented the petition of R. W. Gibbes & Co., in relation to the public printing; which was referred to the Committee on Public Printing.

Mr. ANDERSON presented the return of the Commissioners of Free Schools for Laurens District; which was referred to the Committee on Education.

Mr. HENDERSON presented the accounts of Dr. Irby Dunklin, and of Dr. J. H. Dillard, for *post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. HOPE submitted the presentment of the Grand Jury of Lexington, Fall Term, 1854; which was read and referred to the Committee on Roads, Bridges, and Ferries;

Also, the presentment of the Grand Jury for the same District for Spring Term, 1854; which was read, and referred to the Committee on the Judiciary.

Mr. THORNWELL presented the returns of the Commissioners of Free Schools for Marlborough District; and

Mr. MULLINS the returns of the same Commissioners for Liberty; which were severally referred to the Committee on Education.

Mr. MULLINS presented the accounts of Dr. J. J. Bethea, for *post mortem* examinations; which were severally referred to the Committee on Claims;

Also, the petition of the citizens of Marion Village, praying the incorporation of the said village; which was referred to the Committee on Incorporations.

Mr. JONES presented the returns of the Commissioners of Free Schools for Newberry District; which was referred to the Committee on Education.

Mr. CROSSON presented the petition of Leoni Stewart, praying payment of arrears of pension due his father, John Stewart, deceased; which was referred to the Committee on Pensions.

Also, the petitions for the incorporation of Bush River Church, and of the Cross Roads Baptist Church; which were severally referred to the Committee on Incorporations.

Mr. HARRISON presented the petition of Daniel Wicker, praying to be refunded money paid by him as a reward for an escaped convict; which was referred to the Committee on Claims;

Also, the petition for the incorporation of Beth Eden Lutheran Church; which was referred to the Committee on Incorporations.

Mr. FELDER presented the returns of the Commissioners of Free Schools for Orange Parish; which was referred to the Committee on Education;

Also, the petition of sundry citizens of Orangeburg, praying that tickets to slaves may be made more specific; which was referred to the Committee on Colored Population.

Mr. FELDER also presented the petition for the renewal of the Act of Incorporation of Orangeburg Village; and

Mr. RUMPH presented the petition of the members of the Orangeburg Fire Company, praying an Act of Incorporation; and

Mr. FELDER, the petition of the Master Wardens of Orangeburg Lodge, No. 28, A. F. M., praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. WILKES submitted the presentment of the Grand Jury for Pickens, Fall Term, 1854;

So much thereof as relates to the returns of Commissioners of Free Schools and the distribution of Free School Fund, was referred to the Committee on Education;

So much thereof as relates to the division of Anderson and Pickens, was referred to the Committee on the Judiciary.

Mr. WILKES presented the report of the Commissioners appointed to assess the damages sustained by O. Mauldin, by a change in a public highway; which was referred to the Committee on Roads, Bridges and Ferries;

Also, the account of Dr. J. N. Lawrence, for a post mortem examination; which was referred to the Committee on Claims.

Also, the petition of Henry Hinckle, praying a charter of a turnpike road, commencing at Laurel Gap, in Pickens, to the North Carolina line, at or near Rock Creek; which was referred to the Committee on Incorporations;

Also, the returns of the Commissioners of Free Schools for Pickens District; which was referred to the Committee on Claims.

Mr. WALLACE presented the petition of George W. Wright, for work done on the new State Capitol; which was referred to the Committee on Claims;

Also, the petition of the Officers of the Columbia Artillery, praying an Act of Incorporation; which was referred to the Committee on the Military;

Also, the petition of the Elmwood Cemetery Company, praying an Act of Incorporation; which was referred to the Committee on Incorporations;

Also, the petition of the Richland Rifle Company, Governor's Guards, Carolina Blues, and Richland Guards, praying to be formed into an Independent Battalion; which was referred to the Committee on the Military;

Also, the account of R. W. Gibbes & Co., for State printing; and

Mr. BRYCE presented the account of R. W. Gibbes, Jr., as Registrar of the Upper Division; which were severally referred to the Committee on Claims.

Mr. BRYCE also presented the petition of Dr. John Fisher, C. F. McCay, and others, praying incorporation as a Mutual Life Insurance Company.

Mr. HAMPTON presented the memorial of the Palmetto Lodge, No. 5, I. O. O. F., of Columbia, South Carolina; and

Also, the petition of M. Scofield, and others, asking an Act of Incorporation for the Columbia Machine Works; which were severally referred to the Committee on Incorporations.

Mr. WILLIAM WALLACE presented the Report of the Regents of the Lunatic Asylum; which was referred to the Committee on the Lunatic Asylum; and,

On motion of Mr. WALLACE, four hundred copies of this Report were ordered to be printed.

Mr. TUCKER presented the petition of sundry citizens of Spartanburg District, praying the incorporation of the Spartanburg Female College; which was referred to the Committee on Incorporations;

Also, the returns of the Commissioners of Free Schools, for Spartanburg District; which was referred to the Committee on Education; and

The account of Henry & Farrow, for public printing.

Mr. TRIMMIER presented the account of Dr. W. B. Nett, for *post mortem* examinations.

Mr. SPAIN presented the accounts of Lewis & Richardson, and of Gilbert & Fraser, for public printing, and of Dr. R. W. Brunson, for a *post mortem* examination; which were severally referred to the Committee on Claims.

Mr. TRIMMIER presented the petition of sundry citizens of Spartanburg District, asking for an additional election precinct; which was referred to the Committee on Privileges and Elections.

Mr. SPAIN presented the petition of sundry citizens of Sumter, praying for additional compensation to petit jurors and witnesses in certain causes;

Also, the petition of certain citizens of Sumter, praying increased compensation to the Constables attending Courts; which were severally referred to the Committee on the Judiciary.

Mr. SPAIN also submitted the presentment of the Grand Jury of Sumter District, Fall Term, 1854;

So much thereof as relates to the days of Elections, was referred the Committee on Privileges and Elections; and

So much thereof as relates to the carrying of concealed weapons, was referred to the Committee on the Judiciary.

Mr. SPAIN presented the memorial of sundry citizens, praying the establishment of a Branch of the Bank of the State at Sumterville; which was referred to the Committee of Ways and Means.

Mr. BLANDING presented the petition praying the repeal of so much of the Act of 1853, entitled, "An Act to establish certain Roads, Bridges and Ferries, and to renew the Charters of others heretofore granted," as enacted that a public road be laid out in Sumter District, from Mrs. Hodge's plantation to the Charleston road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. KILGORE presented the account of Dr. C. P. Woodruff, for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. BLANDING presented the petition of Sumter Division, No. 12, Sons of Temperance, praying an Act of Incorporation; which was referred to the Committee on Incorporations; and

Also, the return of the Commissioners of Free Schools for Claremont.

Mr. RICE presented the returns of the same Commissioners for Union District, for 1854; and

Also, the additional returns of the same Commissioners for 1853; which were severally referred to the Committee on Education.

Mr. RICE also submitted the presentment of the Grand Jury for Fall Term, 1854, in Union District;

So much thereof as relates to the Treasurers of the different Boards, was referred to the Committee on District Officers and Offices; and



So much thereof as relates to the carrying of concealed deadly weapons, was referred to the Committee on the Judiciary.

Mr. RICE also presented the account of R. A. McKnight, for public printing.

Mr. CLAWSON presented the petition of Geo. M. Hambrook, praying compensation for feeding certain convicted slaves; and

Also, the petition of L. P. Sadler, Tax Collector of York, praying compensation for taking returns of Births, Marriages and Deaths; which were severally referred to the Committee on Claims.

Mr. CLAWSON also presented the returns of the Commissioners of Free Schools for York District; which was referred to the Committee on Education.

Mr. W. B. WILSON presented the petition of sundry citizens of York District, praying the establishment of a road running to McConnel's Turn-Out, on the King's Mountain Railroad;

Also, the petition, with a prayer counter thereto, which were severally referred to the Committee on Roads, Bridges and Ferries;

Also, the petition of the Town Council and other citizens of Yorkville, praying the renewal or extension of the Town Charter;

Also, the petition of a Committee on behalf of the Trustees of the Yorkville Female Collegiate Institute, praying an Act of Incorporation for said institution; and

Also, the petition of Lodge No. 8, Knights of Jericho, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. CLAWSON presented the petition of sundry citizens of Yorkville, praying that the Town Council of said village may be authorized to extend certain streets in said village; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. W. B. WILSON presented the petition of sundry citizens of York District, praying the establishment of an election precinct at Rock Hill; which was referred to the Committee on Privileges and Elections.

Mr. EPPS presented the return of the Commissioners of Free Schools for Williamsburg District; which was referred to the Committee on Education.

Mr. McKNIGHT presented the account of W. J. Graham, for services rendered the State; which was referred to the Committee on Claims; and

Also, the petition of A. W. Dozier, in reference to Clark's Creek; which was referred to the Committee on Internal Improvements.

Mr. McKNIGHT also submitted the presentment of the Grand Jury for Williamsburg District, Fall Term, 1854; which was read and referred to the Committee on Colored Population.

The SPEAKER, under the rule of the House, then proceeded to call for

Resolutions, Bills and Motions in the alphabetical order of Judicial Districts, beginning at Abbeville.

On motion of Mr. McGOWAN, the Reporter of the Independent Press was allowed a seat on the floor of the House.

Mr. SIEGLING gave notice that he will to-morrow, introduce a resolution to restore the 52d Rule of the House, as it stood previous to its being rescinded at the last session, so that the said Rule may read as follows: "No Bill shall be read a third time on the day fixed for the adjournment of the Legislature."

Mr. WAGNER gave notice that he will ask leave, to-morrow, to introduce a Bill to amend the Charter of the town of Mt. Pleasant;

Also, a Bill for a modification of "An Act to open and extend Pitt street, in the town of Mount Pleasant, to Hibben street."

Mr. CUNNINGHAM gave notice that he will ask leave to-morrow to introduce a Bill to provide for Banks of Discount and Deposit, and to define and limit the business, power and privileges of Banks.

Mr. WHITING gave notice that he will ask leave to-morrow to introduce a Bill "to revise and amend the Judiciary System;"

Also, a Bill "to establish an addition Court in Charleston District."

Mr. W. G. DESAUSURE gave notice that he will ask leave to-morrow to introduce a Bill to provide for the better administration of justice in the City Court of Charleston; and

Also, a Bill for the establishment of rates of interest, and for the repeal of the Usury Laws.

Mr. McCRADY gave notice that he will ask leave to-morrow to introduce a Bill for the appointment of Electors of President and Vice-President of the United States by this State.

On motion of Mr. McCRADY, the Reporters of the Charleston Courier, Mercury, Standard and Evening News were allowed to occupy seats on the floor of this House.

Mr. McQUEEN gave notice that he will ask leave to-morrow to introduce a Bill to amend an Act, entitled "An Act to re-charter the Merchants' Bank of South Carolina, at Cheraw."

Mr. LOWRY gave notice that he will ask leave to-morrow to introduce a Bill to abolish battalion musters, to reduce the number of company musters, and to regulate the trial of defaulters at company musters by holding courts martial at the company parade ground.

Mr. J. B. PERRY gave notice that he will ask leave to-morrow to introduce a Bill to provide for the revision of the Criminal Code and the establishment of a Penitentiary.

Mr. TILMAN introduced the following Resolution, which was ordered for consideration immediately, and was agreed to:

*Resolved*, That a copy of the Rules of the House be furnished to each member.

Mr. MIDDLETON gave notice that he will to-morrow introduce a resolution to rescind the 2d and 3d clauses of the amendments to the 60th Rule of this House, agreed to on the 30th of November, 1852.

Mr. READ introduced the following Preamble and Resolutions, which were ordered for consideration immediately, and were agreed to :

*Whereas*, It becomes a Christian people, at all times, to acknowledge the dispensations of an overruling Providence, both in seasons of adversity and prosperity ; and,

*Whereas*, The past season has been characterized by more than ordinary trials to the people of this State, causing sorrow and mourning to our metropolis and other towns, by the ravages of a pestilential disease—destruction, with great pecuniary loss, to our agricultural interests by the fury of the elements ; and,

*Whereas*, With the hope, that in future, such terrible calamities may be averted from our borders, it is meet that we should set apart a day for humiliation and prayer to Almighty God, that He may permit these corrections to have their due influence upon us, by leading us to consider how frail and uncertain are life and all things temporal ; and that He may grant that the scarcity and dearth from which we now suffer, may be mercifully turned into plenty ;

*Be it, therefore, unanimously Resolved*, That Saturday, the 9th of December, be set apart for such purpose, and that religious services be held, and a sermon appropriate to the occasion be delivered in the Hall of the House of Representatives ; and that a Minister of the Gospel be invited to officiate on that occasion.

*Resolved*, That a Committee of three be appointed on the part of this House, and that a message be sent to the Senate, proposing a similar Committee of that body to meet the Committee of this House, for the purpose of making arrangements for carrying into effect these resolutions.

Whereupon the SPEAKER appointed Messrs. READ, TUCKER, SULLIVAN of the Committee, and a message was sent to the Senate pursuant to the Resolutions.

Mr. DUNCAN gave notice that he will ask leave to-morrow to introduce a Bill to amend an Act, entitled “An Act to provide for the inspection of flour, in certain particulars.”

Mr. B. F. PERRY gave notice that he will ask leave to-morrow to introduce a Bill to give the Election of President and Vice-President of the United States to the people ;

Also, a Bill granting aid on the part of the State to the Blue Ridge Railroad Company.

Mr. SULLIVAN gave notice that he will ask leave to-morrow to introduce a Bill to change the time for the sittings of the Courts of Law on the Western Circuit.

Mr. MULLINS gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the town of Gilesboro', and for other purposes therein mentioned.

Mr. MULLINS introduced the following Resolution, which was ordered for consideration immediately, and was agreed to :

*Resolved*, That the Clerk of this House be instructed to procure and have printed for the use of the House, an Alphabetical List of the Members thereof, with their post offices, in pamphlet form.

Mr. WILKES gave notice that he would ask leave to-morrow to introduce a Bill to alter the Constitution of this State, so as to divide Pendleton District.

Mr. HARRISON gave notice that he will ask leave to-morrow to introduce a Bill to amend the twenty-ninth section of an Act, entitled "An Act to establish certain Roads, Bridges and Ferries, and to renew certain charters heretofore granted," passed 20th December, 1853;

Also, a Bill to amend the charter of the Savannah River Valley Railroad Company, and for other purposes.

On motion of Mr. HARRISON, it was ordered that the Reporter of the Keowee Courier be allowed a seat on the floor of the House.

Mr. W. D. DeSAUSSURE gave notice that he would ask leave to-morrow to introduce a Bill to alter and amend the charter of the Town of Columbia, and for other purposes.

On motion of Mr. WILLIAM WALLACE, it was ordered that the Reporter of the Carolina Times be allowed a seat on the floor of the House.

Mr. HAMPTON gave notice that he would ask leave to-morrow to introduce a Bill to incorporate the Columbia Female College.

Mr. TUCKER gave notice that he would ask leave to-morrow to introduce a Bill for the organization and improvement of the Common School system of South Carolina;

A Bill to incorporate the Spartanburg Female College; and

A Bill to alter and amend the law in relation to the jurisdiction of Magistrates.

Mr. GREEN gave notice that he would ask leave to-morrow to introduce a Bill to authorize and require the President and Directors of the Bank of the State of South Carolina, to establish a Branch of the said Bank at Sumterville.

Mr. McKNIGHT gave notice that he will ask leave to-morrow to introduce a Bill to allow further time for the holding of the Courts of Equity for Williamsburg District.

Mr. J. W. TUCKER introduced the following Resolution, which was ordered for consideration immediately, and was agreed to :

*Resolved*, That this House deeply sympathize with the bereaved family of Dr. A. G. CAMPBELL, late member elect from Spartan ; that we will wear the usual badge of mourning for thirty days ; and that a copy of this Resolution be sent to the family of the deceased.

On motion of Mr. TUCKER, it was ordered that the SPEAKER of the House do forthwith issue writs of election to fill the vacancy caused by the death of Mr. A. G. CAMPBELL, member elect from Spartan ; and that said election be held, according to law, on Monday and Tuesday, 11th and 12th of December ensuing.

On motion of Mr. TUCKER, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow at 12 o'clock.

On motion of Mr. TUCKER, and as a further mark of regard for the deceased member, the House was adjourned at three minutes past 3 o'clock, P. M.

### WEDNESDAY, NOVEMBER 29, 1854.

At the hour to which the House was adjourned, the Clerk called the Roll, when the Speaker took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. W. R. Johnson, member elect from Liberty, attended at the Clerk's desk, was sworn, and took his seat.

The following additional members attended, produced their credentials, were sworn, and took their seats :

*From St. Andrew's*.—Mr. W. B. Seabrook.

*From St. Stephen's*.—Mr. William Masyck Porcher.

The SPEAKER announced the following as the Standing Committees of this House :

*Privileges and Elections* : Messrs. John Cunningham, Andrew F. Lewis, R. B. Boylston, O. M. Dantzer, P. C. Kirk, J. M. Crosson, C. A. Thornwell, W. S. Mobley, J. D. Pope, J. B. Kershaw, A. C. Spain.

*Ways and Means* : Messrs. J. I. Middleton, Geo. A. Trenholm, C. P. Sullivan, T. M. Wagner, F. D. Richardson, B. F. Perry, J. H. Read, Jr., A. H. Boykin, J. W. Harrison.

*Federal Relations* : Messrs. Edward McGrady, Wade Hampton, Jr., Wm. P. McBee, S. M. Wilkes, G. D. Tillman, E. W. Charles, John Cunningham, B. F. Kilgore, A. M. Lowry.

*Judiciary:* Messrs. Nelson Mitchell, S. W. Trotti, R. B. Boylston, W. I. Clawson, B. H. Wilson, C. A. Thornwell, S. McGowen, W. G. DeSaussure, W. B. Wilson.

*Internal Improvements:* Messrs. B. F. Perry, G. Anderson, L. O'Bryan, L. Rebb, W. B. Henderson, J. Murray, W. H. Harrington, C. Irby, W. P. Gill.

*Claims:* Messrs. Thos. Thomson, W. I. Clawson, P. T. Hammond, W. M. Bratton, L. J. Jones, J. H. Felder, W. D. Simpson, C. R. Bryce, J. P. Raymond.

*Military:* Messrs. S. McGowen, J. C. Blum, J. M. Crosson, W. G. DeSaussure, E. B. Bryan, S. M. Wilkes, J. W. Miller, W. C. Moragne, W. D. DeSaussure.

*Roads, Bridges and Ferries:* Messrs. J. W. Harrison, A. E. Moorner, W. B. Rowell, J. H. Ambler, B. Z. Herndon, B. H. Rice, P. M. Butler, J. W. Miller, D. H. Ellis.

*Public Buildings:* Messrs. W. S. Mullins, J. C. Hope, W. A. Mooney, J. A. Metts, L. Rebb, A. I. McKnight, E. Horlbeck, R. Beaty, J. Wilson.

*Incorporations:* Messrs. J. W. Tucker, Josiah B. Perry, A. C. Spain, Jno. Siegling, Jr., B. J. Whaley, H. C. King, B. H. Rice, J. E. Tobin, Ed. Noble.

*Education:* Messrs. C. P. Sullivan, J. W. Tucker, S. W. Trotti, P. C. Kirk, J. D. Blanding, W. C. Cauthen, W. M. Bailey, E. B. Bryan, Thos. Y. Simons, Jr.

*Accounts:* Messrs. C. D. Melton, J. Charles Blum, A. McQueen, E. M. Whiting, W. S. Grisham, John Fox, W. B. Dorn, A. W. Cordes, T. B. Haynesworth.

*Colored Population:* Messrs. J. Harleston Read, Jr., John Siegling, Jr., Joseph D. Pope, W. S. Grisham, Burrell Sanders, M. J. Kirk, W. D. Steele, J. V. Trimmier, B. J. Whaley.

*District Officers and Offices:* Messrs. G. W. Williams, W. S. Mullins, W. B. Henderson, G. W. Landrum, S. W. Witherspoon, Jno. T. Green, J. D. Blanding, C. R. Bryce, D. H. Ellis.

*Agriculture:* Messrs. P. E. Duncan, J. Fox, A. F. Lewis, D. Epps, P. M. Butler, W. P. McBee, D. Bush, B. Sanders, D. J. Rumph.

*Grievances:* Messrs. J. T. Green, W. B. Henderson, W. Holston, W. C. Moragne, W. D. Simpson, W. Bowers, J. W. Peoples, J. E. Tobin, W. B. Rowell.

*Lunatic Asylum:* Messrs. W. Hampton, Jr., H. H. Clarke, A. E. Moorner, R. L. Hart, W. H. Harrington, W. S. Mobley, W. M. Bratton, H. V. Toomer, I. K. Furman.

*Pensions:* Messrs. A. S. Wallace, J. C. Hope, W. D. DeSaussure, W. B.

Dorn, G. W. Landrum, R. Munro, Jr., W. D. Steele, T. B. Haynesworth, J. C. Whaley.

*Public Printing*: Messrs. F. D. Richardson, C. D. Melton, L. O'Bryan, S. W. Witherspoon, J. B. Kershaw, E. Horlbeck, J. V. Trimmier.

*Medical Committee*: Messrs. J. W. Hearst, W. M. Bailey, B. L. Hart, B. F. Kilgore, W. C. Cauthen, H. V. Toomer, J. A. Metts.

*Vacant Offices*: Messrs. O. M. Dantzler, George Anderson, Wm. Wallace, John H. Felder, Thomas Randall, W. A. Mooney, L. J. Jones.

*Engrossed Acts*: Messrs. Josiah B. Perry, H. C. King, Alex. McQueen, W. Graham, R. Munro, Jr.

*Legislative Library*: Messrs. A. H. Boykin, H. H. Clarke, E. Noble, W. Graham, G. D. Tillman.

*Cashier*: Thomas Y. Simmons, Jr.

*Assistant Cashier*: A. W. Cordes.

The SPEAKER laid before the House the Report of the Comptroller General; which was referred to the Committee of Ways and Means.

The SPEAKER, under the Rule of the House, called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning at Abbeville.

Mr. McGOWAN presented the petition of James Moore, Tax Collector for Abbeville, praying compensation for services rendered under an Act entitled "An Act for the establishment of a general system of registration of Births, Deaths, and Marriages in the State of South Carolina;" which was referred to the Committee on Claims.

Mr. THOMSON presented the petition of the President and Directors of the Theological Seminary of the Synod of South Carolina and Georgia, praying to be incorporated;

Also, the petition of the President of the Society for the Relief of Indigent and Superannuated Ministers of the Presbyterian Church and their families, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations;

Also, the petition of Samuel A. Hodges, praying Compensation for services rendered the State in the trial and execution of slaves.

Mr. HEARST presented the account of William Hill, Ordinary of Abbeville, for copy of the last will and testament of Dr. John De La Howe, deceased, by order of the Legislature.

Mr. HARRISON presented the petition of James Milliken, Tax Collector for Anderson District, praying compensation for services rendered;

Also, the petition of James Fant, praying compensation for damages sustained by the opening of a public road through his lands; which were severally referred to the Committee on Claims.

Mr. HARRISON also presented the petition of sundry citizens of Anderson, praying that a certain public road be established.

Mr. GRAHAM presented the petition of sundry citizens of Barnwell District, praying that an Act be passed permitting one George Miller to take out a license to hawk and peddle, without the residence of ten years now required by law; which were severally referred to the Committee on Roads, Bridges, and Ferries.

Mr. GRAHAM also presented the account of E. A. Bronson, proprietor of the Barnwell Sentinel, for public printing;

Also, the account of Dr. G. B. Lartigue for a *post mortem* examination; which were severally referred to the Committee on Claims.

Mr. POPE presented the protest of sundry citizens of St. Peter's Parish, against the election of John P. Raymond as Representative of said Parish; and,

On motion of Mr. POPE, the returns of the Managers of Election of said Parish was taken up, and with the protest was referred to the Committee on Privileges and Elections.

Mr. PEEPLES presented the returns of the Commissioners of Free Schools for St. Peter's Parish; which were referred to the Committee on Education.

Also, the petition of L. D. Matthews, praying to be refunded a double tax illegally levied.

Mr. W. G. DESAUSSURE presented the memorial of the City Council of Charleston, for an increase of appropriation for transient poor; which were severally referred to the Committee of Ways and Means.

Mr. DESAUSSURE also presented the petition of the Charitable Society of Charleston Riflemen for incorporation; and

The petition of the South Carolina Paper Manufacturing Company for an extension of the capital of said company; which were severally referred to the Committee on Incorporations;

Also, the petition of Joseph William, praying to be repaid a tax twice paid; which was referred to the Committee of Ways and Means; and

Also, the petition of the Commissioners of Orphan House of Charleston for leave to send beneficiaries to the Arsenal and Citadel Academies; which was referred to the Committee on the Military.

Mr. MURRAY presented the return of the Commissioners of Free Schools for St. James, Goose Creek; which was referred to the Committee on Education;

Also, the petition of John H. Isaacs, for a Charter of the Cypress Causeway, in St. James, Goose Creek; and

Mr. WAGNER presented the petition of the Mount Pleasant Ferry Com-



pany, praying for an extension and re-charter ; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. MITCHELL presented the memorial of the Farmers' and Exchange Bank of Charleston, praying to be refunded a tax on certain real estate ; which was referred to the Committee of Ways and Means.

Mr. P. C. KIRK presented the return of the Commissioners of Free Schools for St. John's, Berkeley ; which was referred to the Committee on Education ;

Also, the account of William L. Thweatt, Constable, for services rendered the State ; which was referred to the Committee on Claims ; and

Also, the petition of Dr. Theodore Gaillard and others, planters in St. John's, Berkeley, to vest in Dr. Theodore Gaillard the escheated estate of George Broad ; which was referred to the Committee on the Judiciary.

Mr. MELTON submitted the presentment of the Grand Jury of Chester District, Fall Term, 1854 ;

So much thereof as relates to defect in the Road Law ; and

So much as relates to the License law, were referred to the Committee on Roads, Bridges, and Ferries ; and

So much as relates to the present Prison System, was referred to the Committee on the Judiciary.

Mr. MELTON presented the petition of sundry citizens of Chester, praying the establishing of a public road ; which was referred to the Committee on Roads, Bridges, and Ferries ;

Also, the petition of the Vestry and Wardens of St. Peter's Church, Chesterville, praying an act of incorporation ; and

Mr. McQUEEN presented the petition of sundry citizens of Cheraw, praying for the incorporation of the Cheraw Academical Society ; and

The petition to renew the charter of the town of Cheraw, and to amend the same ; which were severally referred to the Committee on Incorporations.

Mr. O'BRYAN presented the petition of sundry citizens of St. Bartholomew's, praying for the opening of Little Salt Ketcher River ; which was referred to the Committee on Internal Improvements.

Mr. J. C. WHALEY presented the returns of the Commissioners of Free Schools for St. Paul's ; which was referred to the Committee on Education ;

The petition of Elizabeth S. Messervy, and Lawrence J. Messervy, for the re-charter of Rantowle's Bridge ; which was referred to the Committee on Roads, Bridges, and Ferries ; and

The petition of the St. Paul's Agricultural Society, for an act of incorporation ; which was referred to the Committee on Incorporations.

Mr. SANDERS presented the returns of the Commissioners of Free Schools for St. Bartholomew's ; which was referred to the Committee on Education.

Mr. HAYNESWORTH presented the petition of T. P. Cooper, for compensation for labor and expense incurred in making a "Compilation of the Statutes of South Carolina, and decisions of Court concerning the Land Office, granting and location of lands in this State, and duties of Deputy Surveyors;" which was referred to the Committee on the Judiciary;

The petition of various citizens of Darlington, for the removal of Keith's Box and Sansbury Box to Timmons ville; which was referred to the Committee on Privileges and Elections;

The petition of Thomas Atkinson, Tax Collector, for compensation for services rendered as Registrar of Births, Deaths, and Marriages, for Darlington District, for the year 1853; which was referred to the Committee on Claims; and,

Also, the Report of Thomas Smith, President of the Cheraw and Darlington Railroad Company, as to the progress of construction, and present condition of said Railroad; which was referred to the Committee of Ways and Means.

#### SPECIAL ORDER.

The House then proceeded to the consideration of Message No. 1, of His Excellency the Governor, and the accompanying documents, which had been made the Special Order of the day for this day at one o'clock, P. M.

On motion of Mr. READ, it was

*Ordered*, That so much of the Message of His Excellency the Governor as relates to Finances and the Bank of the State, the negotiation with Mr. Hyde, the sale of the Bonds of the State for the construction of the Capitol, the subjects of Banks and Banking, the Report of the Comptroller General, Usury and Usury Laws, be referred to the Committee of Ways and Means;

So much as relates to Revolutionary and Colonial Records, to the Committee on Education;

So much as relates to the new State Capital be referred to a special Committee of six, one from each Congressional District; and that a message be sent to the Senate, asking that body to appoint a similar Committee to confer with the Committee of the House on the same subject;

So much as relates to the South Carolina College and to the Free School system, to the Committee on Education;

So much as relates to the Arsenal and Citadel Academies, and the Militia system of the State, to the Committee on the Military;

So much as relates to the Roper Hospital and the registry of births, deaths, and marriages, to the Medical Committee;

So much as relates to the Blue Ridge Railroad, to the Committee of Ways and Means;

So much as relates to the Lunatic Asylum, to the Committee on the Lunatic Asylum;

So much as relates to the Augusta Bridge and the boundary line between this State and Georgia, to the Committee on the Judiciary.

So much as relates to the Pacific Railroad, to the Committee on Incorporations ;

So much as relates to the Universal Exhibition to be held in Paris, to the Committee on Agriculture ;

So much as relates to the imprisonment of colored seamen, to the Committee on Colored Population ;

So much as relates to Federal and Foreign Affairs, to the Committee on Federal Relations.

The following Message was received from the Senate :

IN THE SENATE, NOV. 29, 1854.

*Mr. Speaker and Gentlemen of the House of Representatives :*

The Senate concurs with your House in your Resolutions to set apart Saturday, 9th December, as a day of humiliation and prayer, and has appointed Messrs. WITHERSPOON, BARKER and ZIMMERMAN to act jointly with your Committee in making all suitable arrangements for the said day.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. HART presented the petition of the Baptist Church of Christ, at Darlington C. H., for an Act of Incorporation ; which was referred to the Committee on Incorporations ;

Also, the account of Dr. J. M. Hunter, for a *post mortem* examination ; and

Also, the account of Dr. J. M. Hunter, for services to prisoners ; and

Mr. MOBLEY presented the account of Dr. H. R. Godman, for a *post mortem* examination ; which were severally referred to the Committee on Claims.

Mr. MOBLEY also presented the petition of sundry citizens of Edgefield District, praying an additional election precinct ; which was referred to the Committee on Privileges and Elections.

Mr. TILLMAN presented the memorial of sundry citizens of Edgefield District, in relation to the charter granted by the Legislature of South Carolina to Messrs. Jones and Kennedy, of one-half of the Augusta Bridge, in December, 1853 ; which was referred to the Committee on Privileges and Elections ; and

Also, the petition of H. A. Kenrich, President of the Hamburg and Edgefield Plank Road, praying to be reimbursed the amount of certain tolls exacted from him by Messrs. Jones and Kennedy, at the South Carolina end of the Augusta Bridge ; and

Mr. LANDRUM presented the account of Wm. F. Durisoe, for public printing; which were severally referred to the Committee on Claims.

Mr. LANDRUM also presented the petition of sundry citizens of the town of Hamburg, praying an amendment of their Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. CLARKE presented the returns of the Commissioners of Free Schools for Fairfield; which was referred to the Committee on Education.

Mr. B. H. WILSON presented the petition of the Town Council of Georgetown, praying for an amendment of the charter of said town; which was referred to the Committee on Incorporations.

Mr. MUNRO presented the petition of sundry citizens of Kingston, for aid in building a plank road from Conwayboro' to Fair Bluff, North Carolina; which was referred to the Committee of Ways and Means.

Mr. MUNRO also presented the petition of sundry citizens of Kingston Parish, for a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MUNRO also presented the petition of sundry citizens of Kingston Parish for a Charter of Incorporation; which was referred to the Committee on Incorporations.

Mr. CAUTHEN presented the petition of Elizabeth Parker and Sarah Holiman, praying for arrears of pension; which was referred to the Committee on Pensions.

Mr. THONWELL presented the petition of A. L. McCormick and others, praying a change of the line between Marlboro' and Marion;

Also, the petition of John Stein and others, praying that the right, title and interest of the State in the escheated estate of Charity Stein, deceased, may be vested in John Stein, Allen Stein, Sarah Stein and Mary Stein; which were severally referred to the Committee on the Judiciary; and

Also, the account of Dr. W. D. Wallace, for a *post mortem* examination; which was referred to the Medical Committee.

Mr. ROWELL submitted the presentment of the Grand Jury for Marion District, Fall Term, 1854; which was read and referred to the Committee on the Judiciary.

Mr. ROWELL presented the memorial of the Joint Stock Company of the Marion Female College, praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. HARRINGTON presented the account of the Newberry Sentinel for public printing.

Mr. CROSSON presented the petition of Jno. T. Peterson, Tax Collector of Newberry District, praying compensation for registration of Births, Deaths and Marriages in Newberry District; and

Also, the accounts of Dr. C. C. Higgins and of Dr. B. T. Yarborough, for

*post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. DANTZLER presented the returns of the Commissioners of Free Schools for St. Matthew's; which was referred to the Committee on Education.

Mr. LEWIS presented the account of Robt. M. Thompson, of the Pickens Courier, for public printing; which was referred to the Committee on Claims.

Mr. HARRISON presented the petition of sundry citizens of Pickens District, praying the appointment of a magistrate; which was referred to the Committee on District Officers and Offices.

Mr. HAMPTON presented the petition of the Emmett Guards, praying for an Act of Incorporation; which was referred to the Committee on Incorporations; and

The petition of the Town Council of Columbia, to allow them to use the water from the Columbia Canal; which was referred to the Committee on Internal Improvements.

Mr. RICE presented the petition of B. O'Neale, praying compensation for services rendered as constable for Union District; and

The petition of M. C. Hughes, praying payment of his account against the Commissioners of Free Schools for Union District; which were severally referred to the Committee on Claims;

Also, the petition of many citizens of Union District, praying that Moses C. Hughes may be appointed Magistrate.

Mr. EPPS presented the petition of John F. Graham, D. J. Nettle and others, praying for an additional Magistrate; and

Mr. CLAWSON presented the petition of sundry citizens of York District, praying that an additional Board of Commissioners of Roads and Bridges may be appointed for said District; which were severally referred to the Committee on District Officers and Offices.

Mr. EPPS presented the petition of J. W. McCutchin, D. K. Morgan and others, praying the discontinuance of two days of election at all places of election in Williamsburg, except Kingstree; which was referred to the Committee on Privileges and Elections.

Mr. WILLIAMS presented the petition of William Wright and J. M. Ross, executors of John Blair, for leave to transfer certain shares in the South Carolina Railroad Company, and South Western Railroad Bank, and for other purposes; which was referred to the Committee of Ways and Means; and

The account of J. E. & L. M. Grist, for public printing.

Mr. CLAWSON presented the account of Walker & Moore, Editors of the Yorkville Remedy, for public printing; and

Also, the account of Alexander Strain, a constable, for services rendered the State; which were severally referred to the Committee on Claims.

The SPEAKER, under the rule of the House, called for Resolutions, Bills and Motions, in the alphabetical order of judicial districts, beginning, where the call was discontinued yesterday, at York.

On motion of Mr. W. B. WILSON, it was ordered that the Reporters of the Yorkville Citizen and Yorkville Miscellany be allowed seats on the floor of this House.

Mr. A. S. WALLACE gave notice that he will ask leave to-morrow to introduce a Bill to increase the jurisdiction of Ordinaries in partition and division of real estate, and the appointment of guardians.

Mr. HEARST gave notice that he will ask leave to-morrow to introduce a Bill to make malicious trespass indictable.

Mr. NOBLE gave notice that he will ask leave to-morrow to introduce a Bill to extend the time allowed the Greenville and Columbia Railroad Company to open books of subscription to the capital stock of said Company.

The following message was received from the Senate, the resolution concurred in, and a message was returned accordingly:

IN THE SENATE, Nov. 29, 1854.

*Mr. Speaker and Gentlemen of the House:*

The Senate this day has adopted the following resolution, to wit:

*Resolved*, That so much of the Message No. 1 of His Excellency the Governor as relates to the new State Capitol, be referred to a Special Joint Committee, to consist of five members on the part of the Senate, and that a message be sent to the House, asking the appointment of a Committee from that body, with power to said Committee to report by bill or otherwise. Messrs. CARN, CHESNUT, DRAYTON, PICKENS, BARNES and INGRAM have been appointed as a Committee on part of the Senate.

By order of Senate,

ROBT. F. W. ALLSTON, *President*.

The SPEAKER appointed as the Joint Committee on the part of this House, under the resolution, Messrs. B. F. PERRY, TRENHOLM, BOYKIN, MCGOWAN, B. H. WILSON and BRYAN.

On motion of Mr. WILKES, a Bill to alter the Constitution so as to divide Pendleton into two Election Districts, which had been read three times in this House, and three times in the Senate, and was agreed to by two-thirds of both branches of the whole representation of the last General Assembly, which was certified by the signatures of the President of the Senate and the Speaker of the House, was read the first time, and was made

the Special Order of the day for Friday next, the 1st December, at half-past one o'clock, P. M., in Committee of the Whole House.

Pursuant to notice, and by leave of the House, Mr. HARRISON introduced a Bill to amend an Act entitled, "An Act to authorize the formation of the Savannah River Valley Railroad Company, and for other purposes;" which was read the first time, and was referred to the Committee of Ways and Means.

The following communication was read by the SPEAKER, and was referred to the Committee on Education :

*To the Honorable the Speaker and*

*Members of the House of Representatives :*

At the last session the Committee on Education recommended a subscription to my work on "Documentary History of the State," but owing to the shortness of the session, it was left among the unfinished business.

I respectfully renew my offer to deposit in the archives of the State the original papers and MSS., on condition of a subscription to the publication for 500 copies of each volume.

Respectfully yours,

R. W. GIBBES, M. D.

Pursuant to notice, and by leave of the House, Mr. W. G. DESSAUSURE introduced a Bill for the establishment of rates of interest, and for the repeal of the usury laws; and

A Bill to provide for the better administration of justice in the City Court of Charleston; which were read the first time, and were severally referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. McCRADY introduced a Bill to provide for the appointment of Electors of President and Vice President of the United States by this State; which was read the first time, and was referred to the Committee on Federal Relations.

Mr. CUNNINGHAM gave notice that he would ask leave to-morrow to introduce a Bill to alter and amend the tenth section of the first article of the Constitution of this State.

Pursuant to notice, and by leave of the House, Mr. CUNNINGHAM introduced a Bill to provide for Banks of Discount and Deposit, and to define and limit the business, power, and privileges of Banks; which was read the first time, and was made the Special Order of the day for Wednesday next, 6th of December, at half-past one o'clock, P. M., in Committee of the Whole House.

Pursuant to notice, and by leave of the House, Mr. WAGNER introduced a Bill to amend an Act entitled, "An Act to incorporate the town of Mount

Pleasant;" which was read the first time, and was referred to the Committee on Incorporations ;

Also, a Bill to repeal an Act, entitled, " An Act to open and extend Pitt Street, in the town of Mount Pleasant, to Hibben Street, and for other purposes;" which was read the first time, and was referred to the Committee on Roads, Bridges and Ferries.

Mr. McCRADY gave notice that he will ask leave to-morrow to introduce a Bill to amend the Charter of the Bank of the State of South Carolina.

Pursuant to notice, Mr. SIEGLING introduced the following resolution ; which was ordered for consideration immediately, and was adopted, two-thirds of the number present agreeing thereto :

*Resolved*, That the 52nd Rule of this House, as it stood previous to its being rescinded at the last session, be and the same is hereby restored, so that the said Rule may read as follows :

"No Bill shall be read the third time on the day fixed for the adjournment of the Legislature."

Pursuant to notice, and by leave of the House, Mr. WHITING introduced the following Bills ; which were read the first time, and were referred to the Committee on the Judiciary :

A Bill to establish an additional Circuit Court in Charleston District ; and

A Bill to revise and amend the Judiciary system.

Mr. MELTON gave notice that he will ask leave to-morrow to introduce a Bill to exempt certain public officers from ordinary militia duty ;

Also, a Bill to provide for the payment of the assessment upon the State stock in the Greenville and Columbia Railroad Company.

Mr. McQUEEN introduced a Bill to amend an Act, entitled " An Act to re-charter the Merchants' Bank of South Carolina, at Cheraw ; which was read the first time, and was referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. MIDDLETON introduced the following resolution ; which was ordered to *lie on the table* :

*Resolved*, That the second and third clauses of the amendments of the 60th Rule of this House, agreed to on the 30th of November, 1852, be, and they hereby are rescinded.

Mr. B. H. WILSON gave notice that he will ask leave to-morrow to introduce a Bill to amend the charter of the town of Georgetown.

Pursuant to notice, and by leave of the House, Mr. DUNCAN introduced a Bill to amend an Act, entitled " An Act to provide for the inspection of flour," in certain particulars ; which was read the first time, and was referred to the Committee on Agriculture.

Pursuant to notice, and by leave of the House, Mr. B. F. PERRY introduced a Bill to give the election of President and Vice-President to the peo-



ple; which was read the first time, and was referred to the Committee on Federal Relations.

Mr. MUNRO gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend an Act, entitled "An Act to regulate the sittings of the Courts of Appeals, and for other purposes."

Mr. HAMMOND gave notice that he will ask leave to-morrow to amend the law in relation to Commissioners of Roads, Bridges, and Ferries.

Mr. SULLIVAN gave notice that he will ask leave to-morrow to introduce a Bill to provide for the election of Electors of President and Vice-President of the United States by the people of South Carolina.

Pursuant to notice, and by leave of the House, Mr. SULLIVAN introduced a Bill to change the time of holding the Courts of Law in the Western Circuit; which was read the first time and was referred to the Committee on the Judiciary.

Mr. ANDERSON gave notice that he will ask leave to-morrow to introduce a Bill to regulate the commissions of Tax Collectors.

Mr. HENDERSON gave notice that he will ask leave to-morrow to introduce a Bill to provide compensation for witnesses in criminal causes in the Court of General Sessions, and for other purposes.

Mr. HOPE gave notice that he will to-morrow ask leave to introduce a Bill to reduce all Acts and clauses of Acts exempting property from levy and sale for debts to one Act, and to alter and amend the same.

Mr. MULLINS gave notice that he will ask leave to-morrow to introduce a Bill to arrange the State into Judicial Circuits, and to provide for the election of an additional Law Judge.

Pursuant to notice, and by leave of the House, Mr. MULLINS introduced a Bill to incorporate the Village of Gilesboro', and for other purposes therein mentioned; which was read the first time and was referred to the Committee on Incorporations.

Mr. HAMPTON gave notice that he will ask leave to-morrow to introduce a Bill to allow the Town Council of Columbia to use the water from the Columbia Canal, and for other purposes.

On motion of Mr. HAMPTON, it was ordered that the reporter of the Carolinian be allowed a seat on the floor of this House.

Pursuant to notice, and by leave of the House, Mr. HAMPTON introduced a Bill to vest in Palmetto Lodge, No. 5, I. O. O. F., of Columbia, the title to a certain lot of ground in said town, heretofore granted and for other purposes; which was read the first time, and was referred to the Committee on the Judiciary; and

A Bill to incorporate the Columbia Female College; which was read the first time, and was referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. W. D. DESAUSSURE introduced a Bill to alter and amend the charter of the Town of Columbia; which was read the first time, and was referred to the Committee on Incorporations.

On motion of Mr. HAMPTON, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow, at 12 o'clock, M.

On motion of Mr. HAMPTON, the House was adjourned at 58 minutes past 3 o'clock, P. M.

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THURSDAY, NOVEMBER 30, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

Mr. J. B. Campbell, a member elect from Charleston, attended, was sworn and took his seat.

The SPEAKER announced that Mr. W. R. Johnson is added to the Committee on the Lunatic Asylum, and the Committee on District Officers and Offices;

That Mr. W. B. Seabrook was added to the Committee on Agriculture; and

That Mr. Wm. Maryck Porcher was added to the Committee on Internal Improvements.

The SPEAKER, under the rule of the House, called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning at Abbeville.

Mr. THOMSON presented the petition of the Session of Providence Church of Abbeville for an Act of Incorporation; and

The petition from Lebanon Church for Incorporation.

Mr. NOBLE presented the petition of sundry citizens of Abbeville District, praying the incorporation of Liberty Meeting House; which were severally referred to the Committee on Incorporations.

Mr. THOMSON also presented the petition of Andrew Paul, praying compensation for medical services rendered State prisoners; and

Mr. WILKES, the account of I. J. Rice, of the Southern Rights Advocate, for public printing; which were severally referred to the Committee on Claims.

Mr. J. WILSON presented the petition for the incorporation of the Barker's Creek Church; and

Mr. HARRISON presented the petition of the Vestry of Grace Church, Anderson, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. HARRISON also presented the returns of the Commissioners of Free Schools for Anderson District; which was referred to the Committee on Education.

Mr. TROTTI presented the petition of sundry citizens of Barnwell District, praying that the balance of the appropriation made for cleaning out the Salt Ketcher may be paid over to the Commissioners appointed for that purpose; which was referred to the Committee on Internal Improvements; and

The return of the Commissioners of Free Schools for Barnwell; which was referred to the Committee on Education.

Mr. M. J. KIRK presented the accounts of Dr. W. B. Seabrook, and of Dr. H. W. Ford, for *post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. ELLIS presented the return of Commissioners of Free Schools for Prince William's; which was referred to the Committee on Education.

Mr. McCRADY presented the memorial of the City Council of Charleston, praying confirmation of the subscriptions heretofore made to Railroads, and limitations upon the exercise of the power hereafter.

Mr. W. G. DESAUSSURE presented the memorial of the Firemen's Charitable Association of Charleston and the Neck, praying a renewal of charter; and

Mr. T. Y. SIMONS, Jr., presented the petition of the Young Men's Christian Association of Charleston, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. MITCHELL presented the Annual Report of the President and Directors of the Bank of the State of South Carolina.

Mr. SIEGLING presented the Abstract of Expenditures for the Poor of Charleston in 1854; and

Mr. T. Y. SIMONS, Jr., presented the account of Dr. Wm. H. Huger, Registrar of Births, Deaths and Marriages for the Lower Division; which were severally referred to the Committee of Ways and Means.

Mr. T. Y. SIMONS, Jr., also presented the account of S. G. Courtenay & Co., for work done under the order of the Clerk of the House; and

The account of C. H. Simonton, for services rendered the Commission on the Luxembourg claim; which were severally referred to the Committee on Claims; and also,

The petition of the citizens of Graniteville and landholders in the vicinity, praying the passage of a law to prohibit the sale of alcoholic liquors within three miles of Graniteville; which was referred to the Committee on Claims and Grievances.

Mr. CORDES presented the return of the Commissioners of Free Schools for St. James, Santee; which was referred to the Committee on Education.

Mr. MELTON presented the petition of sundry citizens of Chester District, praying the establishment of an election precinct; and

The petition of sundry citizens of Chester, praying the establishing of another election precinct; which were severally referred to the Committee on Privileges and Elections;

Also, the petitions of sundry citizens of Chester, praying the establishing of a public road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. LOWRY presented the petition of John S. Miller, Tax Collector of Chesterfield, praying additional compensation for services required in taking the returns of Births, Deaths and Marriages in said District; which was referred to the Committee on Claims.

Mr. MOORER presented the return of the Commissioners of Free Schools for St. George's, Dorchester; which was referred to the Committee on Education.

Mr. MORAGNE presented the memorial of the Stockholders of the Edgefield and Cheatham Plank Road Company, praying an amendment of their charter; which was referred to the Committee on Incorporations.

Mr. TILLMAN presented the memorial of sundry citizens of Edgefield District, praying the removal of an election precinct; which was referred to the Committee on Privileges and Elections.

Mr. CLARKE presented the counter petition of R. W. Watson and others, to the opening of a road from Bethlehem Church to the old Black Stocks; and

Mr. DUNCAN presented the petition of sundry citizens of Greenville, asking leave to erect a gate on a public road; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. READ presented the petition of sundry citizens of Georgetown, praying for a reduction in the amount of the Sheriff's bond for that District; which was referred to the Committee on the Judiciary.

Mr. ROBERT MUNRO, Jr., presented the petition of Sheriff Graham, praying compensation for services rendered under an order of court; and

Mr. SIMPSON presented the petition of Gabriel South, praying compensation for slave executed; which were severally referred to the Committee on Claims.

Mr. SIMPSON also submitted the presentment of the grand jury of Laurens District, Spring term, 1854.

So much thereof as relates to a Penitentiary was referred to the Committee on the Judiciary; and

So much as relates to the license system, was referred to the Committee on Roads, Bridges and Ferries.

Mr. SULLIVAN presented the Report of the Treasurer of the South Carolina College; which was ordered to be printed, and was referred to the Committee on Education.

Mr. FOX presented the petition of Samuel Sox, praying payment of his account for burying a dead body under order of a coroner's jury.

Mr. MULLINS presented the account of V. Little for public printing; and

Mr. CROSSON presented the petition of James Bonds, sheriff of Newberry, praying to be paid his account for keeping jurors, and other accounts paid by him; which were severally referred to the Committee on Claims.

Mr. CROSSON also presented the petition of sundry citizens of Newberry District, praying the appointment of a magistrate; which was referred to the Committee on District Offices and Officers; and

The petition of sundry citizens of Newberry District, praying for the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Also, the memorial of the Greenville and Columbia Railroad Company, praying payment of assessment on State Stock in said road.

Mr. JONES presented the Annual Report of the Greenville and Columbia Railroad Company, showing its condition and prospects; which were severally ordered to be printed, and were severally referred to the Committee of Ways and Means.

Mr. JONES also presented the petition of sundry citizens of Newberry District, for the incorporation of the Newberry Bible Society; which was referred to the Committee on Incorporations.

Mr. WILLIAM WALLACE presented the petition of Joseph D. Day for compensation for work done on State Capitol, with copies of affidavits.

Mr. W. D. DESAUSSURE presented the account of Dr. T. J. Rawls for a *post mortem* examination; and

Mr. TRIMMIER presented the account of Messrs. Bomar & Trimmier, Editors of the Carolina Spartan, for public printing; which were severally referred to the Committee on Claims.

Mr. BUTLER presented the petition of sundry citizens of Clarendon asking an appropriation to construct a road across Santee Swamp; which was referred to the Committee on Roads, Bridges and Ferries;

Also, the petition of many citizens of Clarendon, asking a separation from the judicial district of Sumter; which was referred to the Committee on the Judiciary; and

Also, the return of the Commissioners of Free Schools for Clarendon which was referred to the Committee on Education.

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*To the Honorable the Senate*

*and House of Representatives of the State of South Carolina :*

The undersigned respectfully report to your Honorable Bodies, that in compliance with the Resolutions adopted at the last sitting of the General Assembly, "A Bill to alter the Constitution of this State so as to divide Pendleton into two Election Districts," has been duly published as provided by the eleventh section of the Constitution of the State of South Carolina.

W. E. MARTIN, *Clerk of the Senate.*

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Mr. SIEGLING gave notice that he would ask leave to introduce a Bill to regulate the appeals at law for Charleston District.

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*Resolved, That the Committee of Privileges and Elections be authorized and empowered to send for and examine, at its discretion, persons and papers in the matter of the contested election in St. Peter's Parish.*

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Pursuant to notice and by leave of the House, Mr. LOWRY introduced a Bill to abolish Battalion Musters, and to reduce the number of Company Musters, and to regulate the trial of defaulters at Company Musters, by holding Courts Martial at the Company parade-ground; which was read the first time, and was referred to the Committee on the Military.

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Mr. TILLMAN gave notice that he will ask leave to-morrow to introduce a Bill to repeal the 27th section of an Act, entitled "An Act to establish certain roads, bridges and ferries, and to renew certain charters heretofore granted," ratified on the 20th day of December, A. D. 1853.

Mr. LANDRUM gave notice that he will ask leave to-morrow to introduce a Bill for the repeal of so much of the third section of an Act, entitled "An Act to declare a certain description of streams navigable, and for other purposes," as relates to Horse Creek, and to declare the same a public highway.

Mr. MORAGNE gave notice that he will ask leave to-morrow to introduce a Bill to amend the first clause of an Act, entitled "An Act to renew and amend the charters of certain towns and villages heretofore incorporated," passed on the 20th December, A. D. 1853.

Mr. CLARKE introduced the following resolution, which was ordered for consideration immediately, and was agreed to:

*Resolved*, That the Committee on the Military be instructed to inquire into the expediency of altering and amending the Militia Law in the following respects, to wit: The disbanding of the Militia Companies, and organizing in lieu of each a volunteer corps, with the privilege of a smaller number of men constituting a company, and a smaller number of companies a battalion or regiment.

The abolishing of that clause in the Militia Law compelling every man of a certain age, under penalty, to perform militia duty, and inserting a clause, leaving it optional with him either to discharge the duty, or pay a certain tax annually for his exemption—said tax to be received by the captain of the volunteer corps belonging to the beat in which he resides, and appro-

priated to the support of his company; and that they have leave to report by Bill or otherwise.

Mr. MIDDLETON introduced the following Resolution, which was ordered for consideration immediately, and was agreed to:

*Resolved*, That the Committee of Ways and Means be instructed to inquire and report to this House as to the expediency of abolishing taxes upon houses within the limits of cities, towns and villages.

Pursuant to notice, and by leave of the House, Mr. B. H. WILSON introduced a Bill to amend the charter of the town of Georgetown; which was read the first time, and was referred to the Committee on Incorporations.

Mr. MUNRO gave notice that he will ask leave to-morrow to introduce a Bill to grant the aid of the State in the construction of a Plank Road from Conwayboro' to Fair Bluff, N. C.

Pursuant to notice, and by leave of the House, Mr. MUNRO introduced a Bill to alter and amend an Act, entitled "An Act to regulate the sittings of the Courts of Appeal, and for other purposes;" which was read the first time, and was referred to the Committee on the Judiciary.

Mr. HAMMOND gave notice that he will ask leave to-morrow to introduce a Bill to alter and amend the Constitution of this State, so as to give the election of Governor and Lieutenant-Governor to the people.

Pursuant to notice, and by leave of the House, Mr. HAMMOND introduced a Bill to amend the law in relation to Commissioners of Roads, Bridges and Ferries; which was read the first time, and was referred to the Committee on Roads, Bridges and Ferries.

Pursuant to notice, and by leave of the House, Mr. SULLIVAN introduced a Bill to provide for the election of Electors of President and Vice-President of the United States by the people of South Carolina; which was read the first time, and was referred to the Committee on Federal Relations.

On motion of Mr. READ, it was ordered, that when this House adjourn, it shall be adjourned to meet to-morrow at 12 o'clock, M.

Pursuant to notice, and by leave of the House, Mr. HOPE introduced a Bill to reduce all Acts and clauses of Acts exempting property from levy and sale for debt to one Act, and to alter and amend the same; which was read the first time, and referred to the Committee on the Judiciary.

Mr. ROWELL gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the Marion Female College.

Mr. MULLINS gave notice that he will ask leave to-morrow to introduce a Bill to amend the charter of the Wilmington and Manchester Railroad Company.

Mr. McCRADY asked and obtained the leave of the House to give notice that he will to-morrow ask leave to introduce a Bill to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the

capital stock of Railroad, Plank Road, and Canal Companies, and confirm the subscriptions heretofore made by them.

Mr. MITCHELL asked and obtained leave to give notice that he will ask leave to-morrow to introduce a Bill to incorporate the Charleston Water Company;

Also, a Bill to incorporate a Mutual Insurance Company in Charleston;

Also, a Bill to amend an Act to incorporate the Fireman's Insurance Company of Charleston; and

Also, a Bill to amend the Constitution of the State in relation to the manner of voting in all elections by the two Branches of the General Assembly.

Mr. SPAIN asked and obtained the leave of the House to give notice that he will to-morrow ask leave to introduce a Bill to exempt ministers of the Gospel from the performance of patrol duty.

The following message was received from the Senate, and, on motion of Mr. SIEGLING, was ordered to *lie on the table* :

IN THE SENATE, November 30, 1854.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate respectfully proposes to your House to go into an election for Register of Mesne Conveyances for the City of Charleston to-morrow, at 1, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

On motion by Mr. SIEGLING, the House was adjourned at 30 minutes past two o'clock, P. M.

FRIDAY, DECEMBER, 1, 1854.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The SPEAKER announced that Mr. J. B. Campbell is added to the Committees on Federal Relations and on the Legislative Library.

The SPEAKER, under the rules of the House, called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning at Abbeville.

Mr. NOBLE presented the memorial of Erskine College, praying aid from the State; which was referred to the Committee of Ways and Means;

Also, the counter petition of sundry citizens of Abbeville District, praying that a new public road between Greenwood and Cokesbury be not opened; which was referred to the Committee on Roads, Bridges, and Ferries.

The following Message was received from the Senate, and on motion of Mr. SIEGLING, was ordered to lie on the table:

IN THE SENATE, November 30, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to your House to go into an election for Commissioners in Equity for the Districts of Colleton, Abbeville, Pickens, and Lexington, and immediately after the election for Register of Mesne Conveyances for Charleston District.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. WILKES presented the petition of sundry citizens of Anderson District, asking that the poll at Stantonville be restored; which was referred to the Committee on Privileges and Elections.

Mr. TROTTI presented the account of Dr. James O. Haywood, for medical services; which was referred to the Committee on Claims.

Mr. ELLIS presented the petition of Eldred Gooding, Tax Collector of Prince William's, praying to be refunded money paid by mistake into the State Treasury; which was referred to the Committee of Ways and Means.

Mr. M. J. KIRK presented the return of the Commissioners of Free Schools for St. Luke's; which was referred to the Committee on Education.

Mr. CUNNINGHAM presented the account of the Charleston Mercury for printing; which was referred to the Committee on Claims.

Mr. WAGNER presented the petition of David Truesdell and others, asking for a lease of certain lands at the east end of Moultrieville; which was referred to the Committee on Agriculture.

Mr. CAMPBELL presented the memorial of the South Carolina Insurance Company, praying amendment of their charter; which was referred to the Committee on Incorporations.

Mr. PORCHER presented the petition of sundry citizens of St. Stephen's and St. John's, Berkeley, praying permission to sell or dispose of the Glebe land, for purposes mentioned therein; which was referred to the Committee on Internal Improvements;

Also, the return of the Commissioners of Free Schools for St. Stephen's; which was referred to the Committee on Education.

Mr. MELTON presented the petition of the Commissioners of Public

Mr. HARRISON presented the petition of the Vestry of Grace Church, Anderson, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. HARRISON also presented the returns of the Commissioners of Free Schools for Anderson District; which was referred to the Committee on Education.

Mr. TROTTI presented the petition of sundry citizens of Barnwell District, praying that the balance of the appropriation made for cleaning out the Salt Ketcher may be paid over to the Commissioners appointed for that purpose; which was referred to the Committee on Internal Improvements; and

The return of the Commissioners of Free Schools for Barnwell; which was referred to the Committee on Education.

Mr. M. J. KIRK presented the accounts of Dr. W. B. Seabrook, and of Dr. H. W. Ford, for *post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. ELLIS presented the return of Commissioners of Free Schools for Prince William's; which was referred to the Committee on Education.

Mr. MCCRADY presented the memorial of the City Council of Charleston, praying confirmation of the subscriptions heretofore made to Railroads, and limitations upon the exercise of the power hereafter.

Mr. W. G. DESAUSSURE presented the memorial of the Firemen's Charitable Association of Charleston and the Neck, praying a renewal of charter; and

Mr. T. Y. SIMONS, Jr., presented the petition of the Young Men's Christian Association of Charleston, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. MITCHELL presented the Annual Report of the President and Directors of the Bank of the State of South Carolina.

Mr. SIEGLING presented the Abstract of Expenditures for the Poor of Charleston in 1854; and

Mr. T. Y. SIMONS, Jr., presented the account of Dr. Wm. H. Huger, Registrar of Births, Deaths and Marriages for the Lower Division; which were severally referred to the Committee of Ways and Means.

Mr. T. Y. SIMONS, Jr., also presented the account of S. G. Courtenay & Co., for work done under the order of the Clerk of the House; and

The account of C. H. Simonton, for services rendered the Commission on the Luxembourg claim; which were severally referred to the Committee on Claims; and also,

The petition of the citizens of Graniteville and landholders in the vicinity, praying the passage of a law to prohibit the sale of alcoholic liquors within three miles of Graniteville; which was referred to the Committee on Claims and Grievances.

Mr. CORDES presented the return of the Commissioners of Free Schools for St. James, Santee; which was referred to the Committee on Education.

Mr. MELTON presented the petition of sundry citizens of Chester District, praying the establishment of an election precinct; and

The petition of sundry citizens of Chester, praying the establishing of another election precinct; which were severally referred to the Committee on Privileges and Elections;

Also, the petitions of sundry citizens of Chester, praying the establishing of a public road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. LOWRY presented the petition of John S. Miller, Tax Collector of Chesterfield, praying additional compensation for services required in taking the returns of Births, Deaths and Marriages in said District; which was referred to the Committee on Claims.

Mr. MOORER presented the return of the Commissioners of Free Schools for St. George's, Dorchester; which was referred to the Committee on Education.

Mr. MORAGNE presented the memorial of the Stockholders of the Edgefield and Cheatham Plank Road Company, praying an amendment of their charter; which was referred to the Committee on Incorporations.

Mr. TILLMAN presented the memorial of sundry citizens of Edgefield District, praying the removal of an election precinct; which was referred to the Committee on Privileges and Elections.

Mr. CLARKE presented the counter petition of R. W. Watson and others, to the opening of a road from Bethlehem Church to the old Black Stocks; and

Mr. DUNCAN presented the petition of sundry citizens of Greenville, asking leave to erect a gate on a public road; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. READ presented the petition of sundry citizens of Georgetown, praying for a reduction in the amount of the Sheriff's bond for that District; which was referred to the Committee on the Judiciary.

Mr. ROBERT MUNRO, Jr., presented the petition of Sheriff Graham, praying compensation for services rendered under an order of court; and

Mr. SIMPSON presented the petition of Gabriel South, praying compensation for slave executed; which were severally referred to the Committee on Claims.

Mr. SIMPSON also submitted the presentment of the grand jury of Laurens District, Spring term, 1854.

So much thereof as relates to a Penitentiary was referred to the Committee on the Judiciary; and

So much as relates to the license system, was referred to the Committee on Roads, Bridges and Ferries.

Mr. SULLIVAN presented the Report of the Treasurer of the South Carolina College; which was ordered to be printed, and was referred to the Committee on Education.

Mr. FOX presented the petition of Samuel Sox, praying payment of his account for burying a dead body under order of a coroner's jury.

Mr. MULLINS presented the account of V. Little for public printing; and

Mr. CROSSON presented the petition of James Bonds, sheriff of Newberry, praying to be paid his account for keeping jurors, and other accounts paid by him; which were severally referred to the Committee on Claims.

Mr. CROSSON also presented the petition of sundry citizens of Newberry District, praying the appointment of a magistrate; which was referred to the Committee on District Offices and Officers; and

The petition of sundry citizens of Newberry District, praying for the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Also, the memorial of the Greenville and Columbia Railroad Company, praying payment of assessment on State Stock in said road.

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Mr. W. D. DESAUSSURE presented the account of Dr. T. J. Rawls for a *post mortem* examination; and

Mr. TRIMMIER presented the account of Messrs. Bomar & Trimmier, Editors of the Carolina Spartan, for public printing; which were severally referred to the Committee on Claims.

Mr. BUTLER presented the petition of sundry citizens of Clarendon, asking an appropriation to construct a road across Santee Swamp; which was referred to the Committee on Roads, Bridges and Ferries;

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Mr. LANDRUM gave notice that he will ask leave to-morrow to introduce a Bill for the repeal of so much of the third section of an Act, entitled "An Act to declare a certain description of streams navigable, and for other purposes," as relates to Horse Creek, and to declare the same a public highway.

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Mr. CLARKE introduced the following resolution, which was ordered for consideration immediately, and was agreed to:

*Resolved*, That the Committee on the Military be instructed to inquire into the expediency of altering and amending the Militia Law in the following respects, to wit: The disbanding of the Militia Companies, and organizing in lieu of each a volunteer corps, with the privilege of a smaller number of men constituting a company, and a smaller number of companies a battalion or regiment.

The abolishing of that clause in the Militia Law compelling every man of a certain age, under penalty, to perform militia duty, and inserting a clause, leaving it optional with him either to discharge the duty, or pay a certain tax annually for his exemption—said tax to be received by the captain of the volunteer corps belonging to the beat in which he resides, and appro-

prised to the support of his company; and that they have leave to report by Bill or otherwise.

Mr. MIDDLETON introduced the following Resolution, which was ordered for consideration immediately, and was agreed to:

*Resolved*, That the Committee of Ways and Means be instructed to inquire and report to this House as to the expediency of abolishing taxes upon houses within the limits of cities, towns and villages.

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Pursuant to notice, and by leave of the House, Mr. MUNRO introduced a Bill to alter and amend an Act, entitled "An Act to regulate the sittings of the Courts of Appeal, and for other purposes;" which was read the first time, and was referred to the Committee on the Judiciary.

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capital stock of Railroad, Plank Road, and Canal Companies, and confirm the subscriptions heretofore made by them.

Mr. MITCHELL asked and obtained leave to give notice that he will ask leave to-morrow to introduce a Bill to incorporate the Charleston Water Company;

Also, a Bill to incorporate a Mutual Insurance Company in Charleston;

Also, a Bill to amend an Act to incorporate the Fireman's Insurance Company of Charleston; and

Also, a Bill to amend the Constitution of the State in relation to the manner of voting in all elections by the two Branches of the General Assembly.

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The following message was received from the Senate, and, on motion of Mr. SIEGLING, was ordered to *lie on the table*:

IN THE SENATE, November 30, 1854.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully proposes to your House to go into an election for Register of Mesne Conveyances for the City of Charleston to-morrow, at 1, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

On motion by Mr. SIEGLING, the House was adjourned at 30 minutes past two o'clock, P. M.

FRIDAY, DECEMBER, 1, 1854.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The SPEAKER announced that Mr. J. B. Campbell is added to the Committees on Federal Relations and on the Legislative Library.

The SPEAKER, under the rules of the House, called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning at Abbeville.

Mr. NOBLE presented the memorial of Erskine College, praying aid from the State; which was referred to the Committee of Ways and Means;

Also, the counter petition of sundry citizens of Abbeville District, praying that a new public road between Greenwood and Cokesbury be not opened; which was referred to the Committee on Roads, Bridges, and Ferries.

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*of the House of Representatives:*

Senate respectfully proposes to your House to go into an election for Commissioners in Equity for the Districts of Colleton, Abbeville, Pickens, and Lexington, and immediately after the election for Register of Mesne Conveyances for Charleston District.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. WILKES presented the petition of sundry citizens of Anderson District, asking that the poll at Stantonville be restored; which was referred to the Committee on Privileges and Elections.

Mr. TROTTI presented the account of Dr. James O. Haywood, for medical services; which was referred to the Committee on Claims.

Mr. ELLIS presented the petition of Eldred Gooding, Tax Collector of Prince William's, praying to be refunded money paid by mistake into the State Treasury; which was referred to the Committee of Ways and Means.

Mr. M. J. KIRK presented the return of the Commissioners of Free Schools for St. Luke's; which was referred to the Committee on Education.

Mr. CUNNINGHAM presented the account of the Charleston Mercury for printing; which was referred to the Committee on Claims.

Mr. WAGNER presented the petition of David Truesdell and others, asking for a lease of certain lands at the east end of Moultrieville; which was referred to the Committee on Agriculture.

Mr. CAMPBELL presented the memorial of the South Carolina Insurance Company, praying amendment of their charter; which was referred to the Committee on Incorporations.

Mr. PORCHER presented the petition of sundry citizens of St. Stephen's and St. John's, Berkeley, praying permission to sell or dispose of the Glebe land, for purposes mentioned therein; which was referred to the Committee on Internal Improvements;

Also, the return of the Commissioners of Free Schools for St. Stephen's; which was referred to the Committee on Education.

Mr. MELTON presented the petition of the Commissioners of Public

Mr. HARRISON presented the petition of the Vestry of Grace Church, Anderson, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. HARRISON also presented the returns of the Commissioners of Free Schools for Anderson District; which was referred to the Committee on Education.

Mr. TROTTI presented the petition of sundry citizens of Barnwell District, praying that the balance of the appropriation made for cleaning out the Salt Ketcher may be paid over to the Commissioners appointed for that purpose; which was referred to the Committee on Internal Improvements; and

The return of the Commissioners of Free Schools for Barnwell; which was referred to the Committee on Education.

Mr. M. J. KIRK presented the accounts of Dr. W. B. Seabrook, and of Dr. H. W. Ford, for *post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. ELLIS presented the return of Commissioners of Free Schools for Prince William's; which was referred to the Committee on Education.

Mr. MCCRADY presented the memorial of the City Council of Charleston, praying confirmation of the subscriptions heretofore made to Railroads, and limitations upon the exercise of the power hereafter.

Mr. W. G. DESAUSSURE presented the memorial of the Firemen's Charitable Association of Charleston and the Neck, praying a renewal of charter; and

Mr. T. Y. SIMONS, Jr., presented the petition of the Young Men's Christian Association of Charleston, praying an Act of Incorporation; which were severally referred to the Committee on Incorporations.

Mr. MITCHELL presented the Annual Report of the President and Directors of the Bank of the State of South Carolina.

Mr. SIEGLING presented the Abstract of Expenditures for the Poor of Charleston in 1854; and

Mr. T. Y. SIMONS, Jr., presented the account of Dr. Wm. H. Huger, Registrar of Births, Deaths and Marriages for the Lower Division; which were severally referred to the Committee of Ways and Means.

Mr. T. Y. SIMONS, Jr., also presented the account of S. G. Courtenay & Co., for work done under the order of the Clerk of the House; and

The account of C. H. Simonton, for services rendered the Commission on the Luxembourg claim; which were severally referred to the Committee on Claims; and also,

The petition of the citizens of Graniteville and landholders in the vicinity, praying the passage of a law to prohibit the sale of alcoholic liquors within three miles of Graniteville; which was referred to the Committee on Claims and Grievances.

Mr. CORDES presented the return of the Commissioners of Free Schools for St. James, Santee; which was referred to the Committee on Education.

Mr. MELTON presented the petition of sundry citizens of Chester District, praying the establishment of an election precinct; and

The petition of sundry citizens of Chester, praying the establishing of another election precinct; which were severally referred to the Committee on Privileges and Elections;

Also, the petitions of sundry citizens of Chester, praying the establishing of a public road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. LOWRY presented the petition of John S. Miller, Tax Collector of Chesterfield, praying additional compensation for services required in taking the returns of Births, Deaths and Marriages in said District; which was referred to the Committee on Claims.

Mr. MOORER presented the return of the Commissioners of Free Schools for St. George's, Dorchester; which was referred to the Committee on Education.

Mr. MORAGNE presented the memorial of the Stockholders of the Edgefield and Cheatham Plank Road Company, praying an amendment of their charter; which was referred to the Committee on Incorporations.

Mr. TILLMAN presented the memorial of sundry citizens of Edgefield District, praying the removal of an election precinct; which was referred to the Committee on Privileges and Elections.

Mr. CLARKE presented the counter petition of R. W. Watson and others, to the opening of a road from Bethlehem Church to the old Black Stocks; and

Mr. DUNCAN presented the petition of sundry citizens of Greenville, asking leave to erect a gate on a public road; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. READ presented the petition of sundry citizens of Georgetown, praying for a reduction in the amount of the Sheriff's bond for that District; which was referred to the Committee on the Judiciary.

Mr. ROBERT MUNRO, Jr., presented the petition of Sheriff Graham, praying compensation for services rendered under an order of court; and

Mr. SIMPSON presented the petition of Gabriel South, praying compensation for slave executed; which were severally referred to the Committee on Claims.

Mr. SIMPSON also submitted the presentment of the grand jury of Laurens District, Spring term, 1854.

So much thereof as relates to a Penitentiary was referred to the Committee on the Judiciary; and



So much as relates to the license system, was referred to the Committee on Roads, Bridges and Ferries.

Mr. SULLIVAN presented the Report of the Treasurer of the South Carolina College; which was ordered to be printed, and was referred to the Committee on Education.

Mr. FOX presented the petition of Samuel Sox, praying payment of his account for burying a dead body under order of a coroner's jury.

Mr. MULLINS presented the account of V. Little for public printing; and

Mr. CROSSON presented the petition of James Bonds, sheriff of Newberry, praying to be paid his account for keeping jurors, and other accounts paid by him; which were severally referred to the Committee on Claims.

Mr. CROSSON also presented the petition of sundry citizens of Newberry District, praying the appointment of a magistrate; which was referred to the Committee on District Offices and Officers; and

The petition of sundry citizens of Newberry District, praying for the opening of a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Also, the memorial of the Greenville and Columbia Railroad Company, praying payment of assessment on State Stock in said road.

Mr. JONES presented the Annual Report of the Greenville and Columbia Railroad Company, showing its condition and prospects; which were severally ordered to be printed, and were severally referred to the Committee of Ways and Means.

Mr. JONES also presented the petition of sundry citizens of Newberry District, for the incorporation of the Newberry Bible Society; which was referred to the Committee on Incorporations.

Mr. WILLIAM WALLACE presented the petition of Joseph D. Daly for compensation for work done on State Capitol, with copies of affidavits.

Mr. W. D. DESAUSSURE presented the account of Dr. T. J. Rawls for a *post mortem* examination; and

Mr. TRIMMIER presented the account of Messrs. Bomar & Trimmier, Editors of the Carolina Spartan, for public printing; which were severally referred to the Committee on Claims.

Mr. BUTLER presented the petition of sundry citizens of Clarendon, asking an appropriation to construct a road across Santee Swamp; which was referred to the Committee on Roads, Bridges and Ferries;

Also, the petition of many citizens of Clarendon, asking a separation from the judicial district of Sumter; which was referred to the Committee on the Judiciary; and

Also, the return of the Commissioners of Free Schools for Clarendon; which was referred to the Committee on Education.

Mr. SPAIN presented the petition of John G. White, tax collector of Claremont, praying to be refunded a sum of money over paid by him as tax collector; which was referred to the Committee of Ways and Means.

Mr. GREEN presented the communication of J. S. G. Richardson, State Reporter, accompanying 5th Richardson's Equity Reports, and 7th Richardson's Law Reports; which were referred to the Committee on the Judiciary.

Mr. WILLIAMS presented the annual report of the King's Mountain Railroad Company, as to its condition and means; which was referred to the Committee of Ways and Means; and

The petition of sundry citizens of York District for the opening of a public road from Rock Hill in said District to the Landsford road; which was referred to the Committee on Roads, Bridges and Ferries.

The SPEAKER then called for Reports of Standing Committees, in their order, and for reports of Special Committees.

Mr. HAMPTON obtained the unanimous leave of the House to recur to the call for petitions, and presented the petition of Thomas Freen, late Surveyor General, praying investigation into his official conduct; which was referred to the Committee on Grievances.

The SPEAKER, under the Rules of the House, called for Resolutions, Bills, and Motions, in the alphabetical order of judicial districts, beginning, where the call was discontinued yesterday, at Richland.

Mr. WILLIAM WALLACE gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the Elmwood Cemetery Company.

Mr. HAMPTON gave notice that he would ask leave to-morrow to introduce a Bill to incorporate the Southern Mutual Life Insurance Company.

Pursuant to notice, and by leave of the House, Mr. HAMPTON introduced a Bill to allow the Town Council of Columbia to use the water from the Columbia Canal, and for other purposes; which was read the first time, and was referred to the Committee on Internal Improvements.

Pursuant to notice, and by leave of the House, Mr. TUCKER introduced a Bill to alter and amend the law in relation to the jurisdiction of magistrates; which was referred to the Committee on the Judiciary.

Also, a Bill for the re-organization and improvement of the Common School system of South Carolina; which was read the first time, was ordered to be printed, and was made the Special Order of the day for Tuesday next, at one o'clock, P. M., in the Committee of the Whole House; and

Also, a Bill to incorporate the Spartanburg Female College; which was read the first time, and was referred to the Committee on Incorporations.

Mr. GREEN gave notice that he will ask leave to-morrow to introduce a Bill, exempting certain persons therein mentioned from road duty, on certain conditions.

Pursuant to notice, and by leave of the House, Mr. GREEN introduced a

Bill to authorize and require the President and Directors of the Bank of the State of South Carolina to establish a Branch of the said Bank at Sumterville; which was read the first time, and was referred to the Committee of Ways and Means.

Mr. SPAIN gave notice that he will ask leave to-morrow to introduce a Bill prescribing, on the part of this State, the time, place, and manner of appointing Electors of President and Vice-President of the United States.

Also, a Bill to provide for the erection of a new Judicial Circuit, and for the election of an additional Law Judge, and for other purposes.

On motion of Mr. SPAIN, it was ordered that the Clerk do provide and furnish the members with the several amendments to the Rules of the House.

Mr. BLANDING gave notice that he would ask leave to-morrow to introduce a Bill to regulate, in certain particulars, the practice of the Courts in the trial of actions of trespass to try title, and of *quare clausum fregit*.

Mr. WITERSPOON gave notice that he will ask leave to-morrow to introduce a Bill for the better administration of justice in Sumter District.

Mr. RICE gave notice that he will ask leave to-morrow to introduce a Bill to supersede lane fences, and to erect gates in their stead, on all roads except leading market roads;

Also, a Bill to restrain citizens of this State from voting more than once in the same election, and to correct other inroads upon the purity of the elective franchise;

Also, a Bill to provide from the State Treasury an annuity for the collegiate education of one indigent or orphan youth, to be selected within the limits of the Upper Treasury Division of this State.

Mr. McKNIGHT gave notice that he will ask leave to-morrow to introduce a Bill, authorizing the removal of the new Capitol from Columbia to the city of Charleston.

Mr. W. B. WILSON gave notice that he will ask leave to-morrow to introduce a Bill to incorporate the Yorkville Female Institute.

Pursuant to notice, and by leave of the House, Mr. A. S. WALLACE introduced a Bill to increase the jurisdiction of Ordinaries in the sale and division of real estate, and the appointment of Guardians; which was read the first time and was referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. HEARST introduced a Bill to make malicious trespass indictable; which was read the first time and was referred to the Committee on the Judiciary.

On motion of Mr. McGOWAN it was ordered that the reporter of the Chester Standard be allowed a seat on the floor of this House.

Mr. THOMSON gave notice that he would ask leave to-morrow to introduce a Bill to regulate the compensation of persons holding property in a fiduciary character;

Also, a Bill to amend the law in relation to altering wills.

Pursuant to notice and by leave of the House, Mr. NOBLE introduced a Bill to extend the time allowed the Greenville and Columbia Railroad Company to open books of subscription to the capital stock of said Company; which was read the first time, and was referred to the Committee on Incorporations.

The SPEAKER laid before the House the following Communication, which was ordered to be printed and to be made the special order of the day for Friday next at half-past 1 o'clock, P. M.

*To the Honorable the Senate*

*and House of Representatives of the State of South Carolina :*

The undersigned respectfully report to your Honorable Bodies, that in compliance with the Resolutions adopted at the last sitting of the General Assembly, "A Bill to alter the Constitution of this State so as to divide Pendleton into two Election Districts," has been duly published as provided by the eleventh section of the Constitution of the State of South Carolina.

W. E. MARTIN, *Clerk of the Senate.*

H. J. DEAN, *Late Clerk H. R.*

Mr. WILKES asked and obtained leave to withdraw from the files of the House the account of the Southern Rights Advocate in 1853.

Mr. TOBIN gave notice that he would ask leave to-morrow to introduce a Bill to regulate the sale and measurement of Ranging Timber in the City of Charleston.

Mr. SIEGLING gave notice that he would ask leave to introduce a Bill to regulate the appeals at law for Charleston District.

Mr. CUNNINGHAM introduced the following Resolution; which was ordered for consideration, and was agreed to :

*Resolved*, That the Committee of Privileges and Elections be authorized and empowered to send for and examine, at its discretion, persons and papers in the matter of the contested election in St. Peter's Parish.

Mr. CUNNINGHAM gave notice that he would ask leave to-morrow to introduce a Bill to authorize the United States to purchase certain parcels of land in this State, for the erection of light-houses, beacon-lights, and for other purposes.

Pursuant to notice, and by leave of the House, Mr. CUNNINGHAM introduced a Bill to alter and amend the tenth section of the first article of the Constitution of this State; which was read the first time, and was referred to the Committee on Federal Relations.

Pursuant to notice and by leave of the House, Mr. McCRADY introduced a Bill to amend the Charter of the Bank of the State of South Carolina;

which was read the first time, and was referred to the Committee of Ways and Means.

Pursuant to notice and by leave of the House, Mr. LOWRY introduced a Bill to abolish Battalion Musters, and to reduce the number of Company Musters, and to regulate the trial of defaulters at Company Musters, by holding Courts Martial at the Company parade-ground; which was read the first time, and was referred to the Committee on the Military.

Pursuant to notice, and by leave of the House, Mr. J. B. PERRY introduced a Bill to provide for the revision of the Criminal Code, and the establishment of a Penitentiary; which was read the first time, and was referred to the Committee on the Judiciary.

Mr. HAYNESWORTH gave notice that he will ask leave to-morrow to introduce a Bill to increase the capital stock of the Cheraw and Darlington Railroad Company.

On motion of Mr. TILLMAN, it was ordered that the Editors of the Edgefield Advertiser and the Valley Pioneer be allowed seats on the floor of the House.

Mr. TILLMAN gave notice that he will ask leave to-morrow to introduce a Bill to repeal the 27th section of an Act, entitled "An Act to establish certain roads, bridges and ferries, and to renew certain charters heretofore granted," ratified on the 20th day of December, A. D. 1853.

Mr. LANDRUM gave notice that he will ask leave to-morrow to introduce a Bill for the repeal of so much of the third section of an Act, entitled "An Act to declare a certain description of streams navigable, and for other purposes," as relates to Horse Creek, and to declare the same a public highway.

Mr. MORAGNE gave notice that he will ask leave to-morrow to introduce a Bill to amend the first clause of an Act, entitled "An Act to renew and amend the charters of certain towns and villages heretofore incorporated," passed on the 20th December, A. D. 1853.

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The abolishing of that clause in the Militia Law compelling every man of a certain age, under penalty, to perform militia duty, and inserting a clause, leaving it optional with him either to discharge the duty, or pay a certain tax annually for his exemption—said tax to be received by the captain of the volunteer corps belonging to the beat in which he resides, and appro-

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Also, a Bill to incorporate a Mutual Insurance Company in Charleston;

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The following message was received from the Senate, and, on motion of Mr. SIEGLING, was ordered to *lie on the table*:

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*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully proposes to your House to go into an election for Register of Mesne Conveyances for the City of Charleston to-morrow, at 1, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

On motion by Mr. SIEGLING, the House was adjourned at 30 minutes past two o'clock, P. M.

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FRIDAY, DECEMBER, 1, 1854.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The SPEAKER announced that Mr. J. B. Campbell is added to the Committees on Federal Relations and on the Legislative Library.

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Mr. NOBLE presented the memorial of Erskine College, praying aid from the State; which was referred to the Committee of Ways and Means;

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*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to your House to go into an election for Commissioners in Equity for the Districts of Colleton, Abbeville, Pickens, and Lexington, and immediately after the election for Register of Mesne Conveyances for Charleston District.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. WILKES presented the petition of sundry citizens of Anderson District, asking that the poll at Stantonville be restored; which was referred to the Committee on Privileges and Elections.

Mr. TROTTI presented the account of Dr. James O. Haywood, for medical services; which was referred to the Committee on Claims.

Mr. ELLIS presented the petition of Eldred Gooding, Tax Collector of Prince William's, praying to be refunded money paid by mistake into the State Treasury; which was referred to the Committee of Ways and Means.

Mr. M. J. KIRK presented the return of the Commissioners of Free Schools for St. Luke's; which was referred to the Committee on Education.

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Mr. PORCHER presented the petition of sundry citizens of St. Stephen's and St. John's, Berkeley, praying permission to sell or dispose of the Glebe land, for purposes mentioned therein; which was referred to the Committee on Internal Improvements;

Also, the return of the Commissioners of Free Schools for St. Stephen's; which was referred to the Committee on Education.

Mr. MELTON presented the petition of the Commissioners of Public



Buildings for Chester, asking an additional appropriation for the Court House; which was referred to the Committee on Public Buildings.

Mr. MOORER presented the petition of the Upper Board of Commissioners of St. George's, praying an amendment of the road law; which was referred to the Committee on Roads, Bridges, and Ferries.

Mr. CHARLES presented the petition of sundry citizens of Darlington District, praying for the change of an election precinct; which was referred to the Committee on Privileges and Elections;

Also, the petition of sundry citizens of Darlington District, praying the incorporation of the village of Rollinsville; which was referred to the Committee on Incorporations; and

Also, the accounts of Dr. R. S. Hart, for *post mortem* examinations; which were referred to the Committee on Claims.

Mr. MOBLEY presented the petition of sundry citizens of Edgefield District, praying the chartering of a road from some point near Martin McCarty's to Posey's Bridge; and

The petition against chartering a road from the Aiken Road, near Posey's Bridge, to Ridge Road, near Martin McCarty's; which were severally referred to the Committee on Roads, Bridges and Ferries.

Mr. TILLMAN presented the account of W. W. Goodman, Jailor for Edgefield, for blankets furnished prisoners; which was referred to the Committee on Claims;

Also, the petition of John Holley, praying a change in the rates of toll at Holley's Ferry, on Saluda River; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. LANDRUM presented the petition of sundry citizens of Edgefield District, praying the Legislature to pass an Act for the repeal of so much of the third clause of an Act, entitled "An Act to declare a certain description of streams navigable, and for other purposes," as relates to Horse Creek, in Edgefield District, and to declare the same a public highway; which was referred to the Committee on Internal Improvements;

Also, the petition of Dr. A. N. Talley, praying compensation for a *post mortem* examination; which was referred to the Committee on Claims;

Mr. B. H. WILSON presented the petition of the President and Directors of the Bank of Georgetown, praying for a re-charter; which was referred to the Committee of Ways and Means; and

Also, the account of Dr. W. C. Miller, for making a *post mortem* examination; and

Mr. B. F. PERRY presented the account of W. P. Price for public printing; which were severally referred to the Committee on Claims.

Mr. B. F. PERRY presented the accounts of Dr. J. H. Dean, and of Drs.

Turpin & Jones, for medical services; which were severally referred to the Medical Committee; and

Also, the petition of sundry citizens of Greenville, praying an additional magistrate in that District; which was referred to the Committee on District Officers and Offices.

Message No. 2 was then received from his Excellency the Governor, and read by W. R. Calhoun, Esq., his Private Secretary.

*Ordered*, That so much thereof as relates to the College Commencement be referred to the Committee on Education; and that so much thereof as relates to the letter of his Excellency the Governor of Georgia, with the letter itself, be referred to the Committee on the Judiciary.

Mr. KERSHAW presented the account of Thomas J. Warren, for public printing;

Mr. SULLIVAN presented the account of Dr. G. P. Thomas, for a *post mortem* examination; and

Mr. DANTZLER presented the account of the Chester Standard, for public printing; which were severally referred to the Committee on Claims.

Mr. RANDALL presented the return of the Commissioners of Free Schools for All Saints;

Mr. CAUTHEN, the returns of the same Commissioners for Lancaster; and

Mr. FOX the return of the same Commissioners for Lexington; which were severally referred to the Committee on Education.

Mr. JOHNSON presented the account of Dr. J. K. McQueen, for professional services to prisoners; which was referred to the Medical Committee.

Mr. WM. WALLACE presented the account of McCarter & Co., for books furnished the State;

The account of R. L. Bryan, for stationery furnished the State;

The account of R. L. Bryan, for stationery furnished the Court of Appeals; and

The account of Dr. J. S. Crane, for *post mortem* examinations; which were severally referred to the Committee on Claims.

Mr. HAMPTON presented the petition of Nancy Farmer, praying to be placed on the pension list; which was referred to the Committee on Pensions.

Mr. EPPS presented the memorial of the Commissioners of Public Buildings for Williamsburg, praying an additional appropriation for building the Court House; which was referred to the Committee on Public Buildings.

Mr. WILLIAMS presented the petition of J. K. Bratton and others, for the discontinuance of a public road; and

The petition of sundry citizens of York District, for the opening of a public road from Kell's, on the Quinn road, to Yorkville; and

Mr. CLAWSON presented the petition of Mr. Hanna and other citizens of York District, praying that a certain road therein named may not be closed, or gates erected thereon; which were severally referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. NOBLE, the House reconsidered the order referring the memorial of the Erskine College to the Committee of Ways and Means; and

On motion of Mr. NOBLE, the said memorial was referred to the Committee on Education.

The SPEAKER then called for Reports of Standing Committees in their order, and of Special Committees.

Mr. MIDDLETON, from the Committee of Ways and Means, made Reports

On the petition of sundry citizens of Kingston, praying aid for a Plank Road from Conwayboro' to Fair Bluff;

On the petition of T. C. Devlin; and

On the petition of citizens of Sumter, praying the establishment of a Branch Bank of the State at Sumterville; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom was referred the memorial of the City Council of Charleston, asking power to tax banking houses and other real estate, made a Report, and reported a Bill to authorize and empower the City Council of Charleston, to levy and collect taxes on the real estate of Banks within the corporate limits of said city; which was read the first time, and ordered to be read the second time to-morrow.

On motion of Mr. MIDDLETON, the Committee of Ways and Means was discharged from the consideration of the account of William H. Huger, Registrar of Births, Deaths, and Marriages, and the same was referred to the Committee on Claims.

Mr. DANTZLER, from the Committee on Vacant Offices, obtained leave to depart from the usual order, and reported as vacant the offices of Secretary of State, of Solicitor of the Middle Circuit, of Solicitor of the Western Circuit, of Register of Mesne Conveyance for Charleston District, Escheator for Charleston District, State Assessor for St. Philip's and St. Michael's, Commissioner in Equity for the Districts of Colleton, Abbeville, Pickens and Lexington, and State Reporter.

On motion of Mr. DANTZLER, the Message from the Senate in relation to the office of Register of Mesne Conveyance for Charleston District, was taken up; and

On motion of Mr. DANTZLER, a Message was sent to the Senate, proposing to go forthwith into an election for Register of Mesne Conveyance for Charleston District.

The following message from the Senate was taken up, was concurred in, and an answer returned:

IN THE SENATE, Nov. 30, 1854.

*Mr. Speaker and Gentlemen**of the House of Representatives :*

Senate respectfully proposes to your House to go into an election for Commissioners in Equity for the Districts of Colleton, Abbeville, Pickens, and Lexington, immediately after the election of Register of Mesne Conveyance for Charleston District.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. A. S. WALLACE obtained leave unanimously of the House to present the petition of sundry citizens of York District, praying that a certain road be not opened; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. McCRADY from the Committee on Federal Relations, to whom was referred

A Bill to alter and amend the tenth section of the first article of the Constitution of this State;

A Bill to provide for the Election of Electors of President and Vice-President of the United States by the people of South Carolina;

A Bill to provide for the appointment of Electors of President and Vice-President of the United States by this State; and

A Bill to give the Election of President and Vice-President of the United States to the people; made a Report which was ordered for consideration immediately, and was agreed to, and the said Bills were made the special order of the day on Thursday next, 7th inst., at 1 o'clock, P. M., in Committee of the whole House.

The Senate attended and joined the House in a ballot for Register of Mesne Conveyance for Charleston District, and immediately thereafter for Commissioners in Equity for Colleton, Abbeville, Pickens, and Lexington.

The following Message was received from the Senate :

IN THE SENATE, Dec. 1, 1854.

*Mr. Speaker and Gentlemen**of the House of Representatives :*

Senate respectfully proposes to your House to go into a ballot for Solicitor of the Western Circuit immediately after the election of Commissioners in Equity this day, and immediately thereafter for Solicitor of the Middle Circuit, and immediately thereafter for State Assessor for St. Philip's and St. Michael's, and immediately thereafter for Escheator for Charleston District.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

## SPECIAL ORDER.

On motion of Mr. WILKES the House resolved itself into a Committee of the whole House, Mr. Williams in the Chair, and proceeded to the consideration of a Bill to alter the Constitution of this State so as to divide Pendleton into two election districts, which had been read three times in this House and three times in the Senate, and had been agreed to by two-thirds of the whole representation in both branches of the last General Assembly, as certified by the signatures of the President of the Senate and Speaker of the House; and also to the consideration of the communication of the Clerk of the Senate, and the Clerk of the last House of Representatives in relation to the said Bill, which said Bill and communication had been made the Special Order of the Day for this day, at half-past 1 o'clock, P. M., in Committee of the Whole House; and, after some time spent in the consideration thereof, the SPEAKER resumed the Chair.

Mr. THOMSON, from the Committee on Claims, made reports—

On the account of J. M. Crosson, of the Newberry Sentinel;

On the account of R. M. Stokes;

On the account of J. E. and L. M. Grist;

On the account of R. A. McKnight;

On the account of J. J. Bethea;

On the account of B. T. Yarborough;

On the account of Dr. R. A. Areher;

On the account of Dr. G. B. Lartigue;

On the account of Dr. James M. Hunter;

On the account of Dr. J. W. Pitts;

On the account of Dr. C. P. Woodruff;

On the account of Dr. R. S. Mellet;

On the account of Dr. W. W. Brunson;

On the account of Dr. J. M. Lawrence;

On the account of Dr. W. B. Nott;

On the account of Dr. Irby Duaklin;

On the account of Dr. J. J. Bethea;

On the account of Dr. C. C. Higgins;

On the account of Dr. C. J. Flinn;

On the accounts of Drs. Flinn & Lee;

On the accounts of Dr. Alex. Williams; and

On the account of Dr. J. H. Dillard; which were severally ordered for consideration to-morrow.

Mr. WILLIAMS, from the Committee of the Whole House to whom had been referred a Bill to divide Pendleton into two election districts, reported that they have had the same under consideration, and recommend

that the Bill do pass. The report was ordered for consideration immediately. The Bill was then read the second time, and the question being put, Will the House agree to the Bill? it passed in the affirmative, two-thirds of this branch of the General Assembly agreeing thereto.

Ayes, 94—Noes, 22.

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker, and

| Messrs. Ambler,   | Messrs. Hampton, | Messrs. Mullins, |
|-------------------|------------------|------------------|
| Anderson,         | Hart,            | Noble,           |
| Beaty,            | Harrington,      | Perry, B. F.,    |
| Blanding,         | Harrison,        | Rebb,            |
| Blum,             | Haynesworth,     | Rice,            |
| Boykin,           | Heart,           | Rowell,          |
| Boyleston,        | Henderson,       | Ramph,           |
| Bratton,          | Harndon,         | Seabrook,        |
| Bryce,            | Holston,         | Siebling,        |
| Bush,             | Hepe,            | Simons,          |
| Butler,           | Horlbeck,        | Simpson,         |
| Campbell,         | Irby,            | Spain,           |
| Canthen,          | Johnson,         | Steele,          |
| Charles,          | Jones,           | Sullivan,        |
| Clarke,           | Kershaw,         | Thomson,         |
| Clawson,          | Kilgore,         | Thornwell,       |
| Cordes,           | Kirk, P. C.,     | Silliman,        |
| Crosby,           | Landrum,         | Trotti,          |
| Cunningham,       | Lewis,           | Trenholm,        |
| Dantsler,         | Lowry,           | Trimnier,        |
| DeSaussure, W. G. | McCady,          | Tucker,          |
| Dorn,             | McGowan,         | Wallace, A. S.,  |
| Duncan,           | McQueen,         | Wallace, Wm.,    |
| Epps,             | Metts,           | Wagner,          |
| Fox,              | Middleton,       | Whaley, B. J.,   |
| Farman,           | Miller,          | Whiting,         |
| Gill,             | Mitchell,        | Wilson, John,    |
| Graham,           | Mobley,          | Wilson, W. B.,   |
| Green,            | Munro,           | Williams,        |
| Gripham,          | Mooney,          | Wilkes, and      |
| Hammond,          | Moragne,         | Witherspoon.     |

Those who voted in the negative are—

|                   |                 |                  |
|-------------------|-----------------|------------------|
| Messrs. Bailey,   | Messrs. Moorcr, | Messrs. Raymond, |
| Bowers,           | Murray,         | Read,            |
| Bryan,            | O'Bryan,        | Sanders,         |
| DeSaussure, W. D. | Peoples,        | Toomer,          |
| Ellis,            | Perry, J. B.,   | Whaley, J. C.,   |
| Felder,           | Pope,           | Wilson, B. H.,   |
| Kirk, M. J.,      | Porcher,        |                  |
| McKnight,         | Randall,        |                  |

The Bill was then ordered to be sent to the Senate.

Mr. CORDIS, from the Committee appointed to count the votes cast on the ballot for Commissioners in Equity for Abbeville, Colleton, Lexington, and Pickens, reported that W. H. Parker, C. B. Farmer, H. A. Meetze, and R. A. Thompson, had received a majority.

Whereupon the SPEAKER announced that

Mr. W. H. Parker is duly elected Commissioner in Equity for Abbeville District;

Mr. C. B. Farmer is duly elected Commissioner in Equity for Colleton District;

Mr. H. A. Meetze is duly elected Commissioner in Equity for Lexington; and

Mr. R. A. Thompson is duly elected Commissioner in Equity for Pickens.

Mr. CHARLES, from the Committee appointed to count the votes cast on the ballot for Register of Mesne Conveyances for Charleston District, reported that Mr. J. A. Keith had received a majority.

Whereupon the SPEAKER announced that John Alexander Keith, Esq., is duly elected Register of Mesne Conveyances for Charleston District.

Mr. SIEGLING, from the Committee on Incorporations, to whom was referred the petition of the South Carolina Savings and Building Association, made a report, and reported "A Bill to incorporate the South Carolina Savings and Building Association;" which was read the first time, and ordered to be read the second time to-morrow.

Mr. TUCKER, from the Committee on Incorporations, to whom had been referred the petition of sundry citizens to incorporate the Spartanburg Female College; and

A Bill to incorporate the Spartanburg Female College; and also,

A Bill to incorporate the Columbia Female College; also,

A Bill to extend the time allowed the Greenville and Columbia Railroad Company to open books of subscription to the capital stock of said Company, made reports; which were severally ordered for consideration to-morrow.

Mr. TUCKER, from the same Committee, to whom had been referred the petition of the Elmwood Cemetery Company, made a report, and reported a Bill to incorporate the Elmwood Cemetery; which was read the first time, and was ordered to be read the second time to-morrow.

On motion of Mr. TUCKER, the Committee on Incorporations was discharged from the consideration of the petition of the Emmett Guards; and the same was referred to the Committee on the Military.

On motion of Mr. TUCKER, the same Committee was discharged from the consideration of the petition of Henry Hinckle; and the same was referred to the Committee on Roads, Bridges and Ferries.

On motion of Mr. TUCKER, it was ordered that when the House adjourns, it shall be adjourned to meet to-morrow at 12 o'clock, M.

On motion of Mr. TUCKER, the House adjourned at 15 minutes past 8 o'clock, P. M.

## SATURDAY, DECEMBER 2, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following message from the Senate was read; and, on motion of Mr. ANDERSON, was ordered to lie on the table:

IN THE SENATE, December 1, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to your House to go into a ballot for Solicitor of the Western Circuit immediately after the election of Commissioners in Equity, this day; and immediately thereafter for Solicitor of the Middle Circuit; and immediately thereafter for State Assessor for St. Philip's and St. Michael's; and immediately thereafter for Escheator for Charleston District.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

The SPEAKER then called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, in the order prescribed by the amendments to the 60th rule of the House.



Mr. THOMSON presented the returns of the Commissioners of Free Schools for Abbeville District; which was referred to the Committee on Education.

Mr. HERNDON presented the Annual Report of the Trustees of the estate of Dr. John De La Howe, for November, 1854; which was referred to the Abbeville Delegation.

Mr. SIEGLING presented the petition of John Tolle and Ann E. Lips, to vest in them certain escheated lands in the city of Charleston; which was referred to the Committee on the Judiciary; and

The petition of John A. Wagner, for the establishment of a ferry between Charleston, Mount Pleasant, and Sullivan's Island, by the name of the Accommodation, Mount Pleasant and Sullivan's Island Ferry Company; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. McCRADY presented the memorial of the Commissioners of Cross Roads for Charleston Neck, praying for legislation as to the present powers.

Mr. MITCHELL presented the memorial of the Charleston Floating Dry Dock Company, praying to be allowed to reduce their capital.

Mr. CUNNINGHAM presented the petition for the charter of the Fourth Baptist Church in Charleston;

The petition for the charter of the Charleston Baptist Association; and

The petition for the incorporation of the South Carolina Rope and Cordage Manufacturing Company; which were severally referred to the Committee on Incorporations.

Mr. W. G. DESAUSSURE presented the petition of Dr. John M. Farrell, for confirmation of title to a lot of land in the village of Greenwich, Christ's Church Parish; which was referred to the Committee on the Judiciary.

Mr. T. Y. SIMONS, Jr., presented the petition of the Trustees of the Roper Hospital, for an appropriation to assist in the support and expenses of the said Hospital; which was referred to the Medical Committee.

Mr. CAMPBELL presented the petition of James Monroe, praying an Act of Incorporation of a Bank, to be called the Commercial Bank of Charleston; which was referred to the Committee of Ways and Means.

Mr. CUNNINGHAM submitted the presentment of the Grand Jury for Charleston District, March Term, 1854; which was read and referred to the Committee on Public Buildings; and

The presentment of the Grand Jury for the same District, for Spring Term, 1854;

So much thereof as relates to the Jail, and so much as relates to the Court House, were referred to the Committee on Public Buildings;

So much as relates to the carrying of concealed weapons;

So much as relates to the practice of shipping sailors; and

So much as relates to the criminal code ; were referred to the Committee on the Judiciary ; and

So much as relates to remodeling the negro law was referred to the Committee on Colored Population.

Mr. MELTON presented the petition of sundry citizens of Chester, praying the discontinuance of a public road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. MOORER presented the account of T. L. Gelzer, for a *post-mortem* examination ; and

Mr. BOYLSTON presented the account of R. E. Ellison, Sheriff of Fairfield District, for blankets furnished the jail ; which were severally referred to the Committee on Claims.

Mr. BOYLSTON submitted the presentment of the Grand Jury of Fairfield, Fall Term, 1854 ;

So much thereof as relates to the carrying of concealed deadly weapons ;

So much as relates to the establishment of a Penitentiary ;

So much as relates to the mode of proving planter's accounts ; and

So much as relates to the property of married women ; were referred to the Committee on the Judiciary ; and

So much thereof as relates to the prevention of bribery and corruption was referred to the Committee on Privileges and Elections.

Mr. SIMPSON presented the petition of sundry citizens of Laurens District, praying the change of an election precinct ; which was referred to the Committee on Privileges and Elections.

Mr. BOYKIN presented the account of Dr. L. T. Workman, for a *post-mortem* examination ; which was referred to the Committee on Claims.

Mr. GRISHAM presented the petition of the Claremont Academy, praying an Act of Incorporation ; which was referred to the Committee on Incorporations.

Mr. CROSSON presented the petition of the people of this State opposed to the liquor traffic, by their president, John Belton O'Neal, asking the Legislature to pass a law prohibiting the sale of intoxicating drinks by itinerant traders ; which was referred to the Committee on Grievances.

Also, the account of S. P. Kinard, Jailor of Newberry, for blankets furnished prisoners ; and

Mr. WILLIAM WALLACE presented the account of T. J. Lamotte against the State, for printing and binding ; which were severally referred to the Committee on Claims.

Mr. BRYCE presented the memorial of the President and Temporal Committee of the First Presbyterian Church in the town of Columbia, praying a renewal of charter ; which was referred to the Committee on Incorporations.

Mr. SPAIN presented the memorial of the Rev. Thomas R. English, praying that clergymen may be exempted from patrol duty; and

Mr. RICE presented the petition of sundry citizens of Union District, praying the exemption of ministers of the Gospel, and certain other persons, from patrol duty; which were severally referred to the Committee on the Military,

Mr. W. B. WILSON presented the petition of James G. O. Wilkinson, and other citizens of Edgefield District, praying that a certain road leading from Aiken to Graniteville, may be declared a public road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CLAWSON presented the petition of Mr. E. S. Dunlap, praying compensation for damages sustained from the opening of a public road through his land in York District; which was referred to the Committee on Claims.

Mr. WILLIAMS presented the petition of sundry citizens of York District, for an alteration in the days of election of certain precincts in said district, for members to the Legislature; which was referred to the Committee on Privileges and Elections.

The Senate sent to this House the following Reports, which were referred to the Committee on Claims:

Reports of the Committee on Claims and Grievances

On the petition of J. Malachi Ford;

On the petition of C. B. Lewis; and

On the account of W. J. Graham, Sheriff of Horry District.

The Senate sent to this House the report of the Special Committee on the subject of religious exercises in the Capitol; which was referred to the Special Committee charged with this subject.

The following Message was received from the Senate, was concurred in, and an answer returned:

IN THE SENATE, Dec. 2, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to your House to go into a ballot for Solicitors of the Western and Middle Circuit at half-past 1 o'clock this day, and immediately thereafter for State Assessor for St. Philip's and St. Michael's, and immediately thereafter for Escheator for Charleston District.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

The SPEAKER then called for Reports of Standing Committees, and of Special Committees.

**Mr. CUNNINGHAM**, from the Committee on Privileges and Elections, made reports

On the petition of **J. W. McCutchen**, **D. K. Mouzon** and others, in relation to elections in Williamsburg District; and

On the presentment of the Grand Jury of Sumter; which were severally ordered for consideration on Monday; and reported

A Bill to alter and amend the tenth section of the first article of the Constitution of this State as to the time of holding elections for members of the General Assembly; which was read the first time and was ordered to be read the second time on Monday.

**Mr. MIDDLETON**, from the Committee of Ways and Means, made reports

On the petition of the Merchants' Bank of Cheraw;

On a Bill to amend an Act entitled "An Act to re-charter the Merchants' Bank of Cheraw;" and

On the petition of **G. I. Reid**; which were severally ordered for consideration on Monday.

**Mr. MIDDLETON**, from the same Committee to whom had been referred the petition of the Cheraw and Darlington Railroad Company, made a report, and reported a Bill to authorize the Cheraw and Darlington Railroad Company to increase their capital stock; which was read the first time, and was ordered to be read the second time on Monday.

**Mr. MITCHELL**, from the Committee on the Judiciary, made a report on a Bill to change the time of holding the courts of law in the Western Circuit; which was ordered for consideration on Monday.

On motion of **Mr. MITCHELL**, the Committee on the Judiciary was discharged from the consideration of the petition of sundry citizens of Georgetown, praying a reduction in the amount of the Sheriff's bond for that District; and the same was referred to the Committee on District Officers and Offices.

**Mr. MITCHELL**, from the same Committee, made a report on a Bill for the establishment of rates of interest, and for the repeal of the usury laws, which was ordered for consideration immediately, and is as follows:

"The Committee on the Judiciary, to whom was referred a Bill for the establishment of rates of interest, and for the repeal of the usury laws, beg leave to report that they have examined the same, and as it appears to them that the matter more properly belongs to the department of one of the other standing Committees of the House, they ask leave to be discharged from the further consideration of the matter.

**NELSON MITCHELL**,  
*Chairman Judiciary Committee.*

The Report was agreed to, and the Bill was referred to the Committee of Ways and Means.

Mr. THOMSON, from the Committee on Claims, made reports

On the account of W. J. H. Graham;

On the petition of James Bonds, Sheriff;

On the account of Samuel A. Hodges, Sheriff;

On the account of J. W. Guyton, Sheriff;

On the petition of R. W. Gibbes, Jr.;

On the account of William Hill, Ordinary;

On the account of Dr. W. B. Seabrook;

On the account of Drs. Wardlaw & Lyon;

On the account of Dr. James Porcher;

On the petition of John T. Peterson;

On the petition of James Moore; and

On the petition of L. P. Sadler; which were severally referred for consideration on Monday.

Mr. McGOWAN, from the Committee on the Military, made reports

On the petition of the Columbia Artillery;

On the petition of the Emmett Guards; and

On the petition of the Richland Volunteer Rifle Company, Governor's Guards, Carolina Blues and Richland Guards; which were severally ordered for consideration on Monday; and reported a Bill to authorize the formation of a Volunteer Battalion, to be attached to the 23d Regiment S. C. M., and for other purposes; which was read the first time, and was ordered to be read the second time on Monday.

Mr. HARRISON, from the Committee on Roads, Bridges and Ferries, made reports

On the petition of sundry citizens of Horry;

On the petition of G. E. Miller;

On the petition of sundry citizens of Anderson; which were severally ordered for consideration on Monday.

Mr. HARRISON, from the same Committee, to whom had been referred the petition of the Mount Pleasant Ferry Company, made a Report, and reported a Bill for the extension and re-charter of the Mount Pleasant Ferry Company; which was read the first time, and was ordered to be read the second time on Monday next.

The Senate attended, and joined the House in a ballot for Solicitor of the Northwestern Circuit, and for solicitor of the Middle Circuit.

The Senate, immediately thereafter, attended and joined the House in a ballot for State Assessor for Charleston District.

The Senate attended, and joined the House in a ballot for Escheator of Charleston District.

Mr. SPAIN, from the Committee on Incorporations, made Reports  
On a Bill to alter and amend the charter of the town of Columbia, and  
for other purposes; and

On the petition of sundry citizens of Darlington District, praying the incorporation of the village of Rollinsville; which were severally ordered for consideration on Monday.

Mr. SPAIN, from the same Committee, to whom was referred the petition of the President of the Society for the Relief of Indigent and Superannuated Ministers of the Presbyterian Church, and their families, reported a Bill to incorporate the Society for the Relief of Indigent and Superannuated Ministers of the Presbyterian Church, and their families; which was read the first time, and was ordered to be read the second time on Monday.

On motion of Mr. TUCKER, the Committee on Incorporations was discharged from the consideration of the petition of sundry citizens of Kingston for a Charter of Incorporation; and the same was referred to the Committee on Internal Improvements.

Mr. TUCKER, from the same Committee, to whom had been referred the petition to incorporate the Yorkville Collegiate Institute, made a Report, and reported a Bill to incorporate the Yorkville Female Institute; which was read the first time, and was ordered to be read the second time on Monday.

Mr. TUCKER, from the same Committee, made a Report on the petition of the Vestry and Wardens of St. Peter's Church; which was ordered for consideration on Monday.

The following message was received from the Senate, and on motion of Mr. SULLIVAN, was ordered to *lie on the table*:

IN THE SENATE, December 2, 1854.

*Mr. Speaker and Gentlemen  
of the House of Representatives:*

Senate has appointed Messrs. TOWNSEND, BARKER, McALILEY and INGRAM, a Committee on the part of the Senate to make all suitable arrangements for the attendance of the Legislature at the Commencement of the South Carolina College, to be held on Monday next, and respectfully asks of your House to appoint a similar Committee, to act jointly with the Committee of the Senate.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

The following message was received from the Senate, and the question being put, Will the House concur therein? it was decided in the negative:

IN THE SENATE, December 2, 1864.

*Mr. Speaker and Gentlemen**of the House of Representatives:*

Senate respectfully proposes to your House to go into a ballot for Secretary of State on Tuesday next, at 1 o'clock; and immediately thereafter for State Reporter.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

Mr. W. D. DESAUSSURE, from the Committee appointed to count the votes cast on the ballot for Solicitors of the Western and Middle Circuits, reported that J. P. Reid and Simeon Fair had received a majority respectively.

Whereupon the SPEAKER announced that

J. P. Reid, Esq., is duly elected Solicitor of the Western Circuit; and Simeon Fair, Esq., is duly elected Solicitor of the Middle Circuit.

Mr. EPPS, from the Committee appointed to count the votes cast on the ballot for Escheator of Charleston District, reported that F. A. Ford had received a majority.

Whereupon the SPEAKER announced that

Frederick A. Ford, Esq., is duly elected Escheator of Charleston District.

Mr. DORN, from the Committee appointed to count the votes cast on the ballot for State Assessor for Charleston District, reported that no candidate had received a majority, and that there is therefore no election.

Mr. SIEGLING, from the Committee on Incorporations, made reports

On the memorial of the Town Council of Mount Pleasant; and

On the petition for renewal of the charter of Orangeburg; which were ordered for consideration on Monday.

Mr. B. J. WHALEY, from the same Committee, made a report, and reported a Bill to incorporate the village of Gilesboro', and for other purposes therein mentioned; which was ordered for consideration on Monday.

Mr. READ, from the Committee on Colored Population, made a report on the petition of sundry citizens of Orangeburg District; which was ordered for consideration on Monday.

Mr. NOBLE, from the Committee on Incorporations, to whom had been referred the memorial of the citizens of the town of Edgefield, made a report, and reported a Bill to amend the first clause of an Act, entitled, "An Act to renew and amend the charters of certain towns and villages heretofore incorporated," passed 20th December, 1853; which was read the first time, and was ordered to be read the second time on Monday.

Mr. HEARST, from the Medical Committee, made reports

On the account of Dr. W. D. Wallace;

On the account of Drs. Turpin and Jones; and

On the account of Drs. Turpin and Jones.

Mr. W. G. DESAUSSURE, from the Committee on the Military, to whom was referred the petition of the Commissioners of the Orphan House, made a report, and reported a Bill to authorize and empower the Commissioners of the Orphan House of Charleston, to select the youths therein mentioned from those educated and maintained on the bounty of that Institution, who shall be allowed to complete their education at the Military Academies; which was read the first time, and was ordered to be read the second time on Monday.

On motion of Mr. MITCHELL, the Committee on the Judiciary were discharged from the consideration of a Bill to vest in Palmetto Lodge, No. 5, I. O. O. F., of Columbia, the title to a certain lot of ground in said town heretofore granted, and for other purposes; and the same was referred to the Committee on Incorporations.

The following Message was received from the Senate, was concurred in, and an answer returned:

IN THE SENATE, Dec. 2, 1864.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to your House to go forthwith into another ballot for State Assessor for Charleston.

By order of Senate,

ROBT. F. W. ALLSTON, *President.*

The SPEAKER, under the Rule of the House, called for resolutions, bills and motions.

On motion of Mr. MCGOWAN, the Message from the Senate in relation to the College Commencement, was taken up, was concurred in, and a Message was sent accordingly.

Whereupon the SPEAKER announced Messrs. SULLIVAN, TUCKER, TROTTI, P. C. KIRK, BLANDING, CAUTHEN, BAILEY, BRYAN and T. Y. SIMONS, Jr., as a Committee on the part of the House to act with the Senate Committee.

Mr. HEARST gave notice that he will ask leave on Monday to introduce a Bill to allow Thomas C. Devlin to hawk and peddle in Abbeville District without the payment of the tax now imposed by law.

Pursuant to notice, and by leave of the House, Mr. THOMSON introduced a Bill to amend the law in relation to attesting wills; which was read the first time, and was referred to the Committee on the Judiciary.

On motion of Mr. WILKES, it was



*Ordered*, That Samuel G. Barle, Editor and Reporter of the Anderson Gazette, be allowed a seat on the floor of the House.

Mr. M. J. KIRK introduced the following Resolution, which was ordered for consideration on Monday :

*Resolved*, That a Committee of five be appointed by the House, who shall, with a similar Committee to be appointed by the Senate, nominate a President and twelve Directors for the Bank of the State of South Carolina ; also, that a Message be sent to the Senate, requesting the appointment of a similar Committee.

Mr. MITCHELL gave notice that he will ask leave on Monday to introduce a Bill to amend the law in relation to pleading and procedure in the courts of law and equity in certain particulars.

Pursuant to notice, and by leave of the House, Mr. MITCHELL introduced the following Bills ; which were read the first time :

A Bill to amend an Act to incorporate the Fireman's Insurance Company of Charleston ; passed 16th of December, A. D., 1852 ;

A Bill to incorporate the Merchants' Mutual Insurance Company ; were referred to the Committee on Incorporations ;

A Bill to amend the Constitution of this State in relation to the manner of voting in the election of officers chosen by the two branches of the General Assembly ; was referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. MITCHELL introduced a Bill to incorporate the Charleston Water Company ; which was referred to the Committee on Incorporations.

On motion of Mr. MITCHELL, it was

*Ordered*, That when this House adjourns, it shall be adjourned to meet on Monday next, at 9 o'clock, A. M.

Mr. CAMPBELL gave notice that he will on Monday ask leave to introduce a Bill to incorporate the Mount Ina Mining Company.

Mr. T. Y. SIMONS, Jr., gave notice that on Monday he will ask leave to introduce a Bill to vest in the several Boards of Commissioners of Free Schools the vacant lands in their respective districts and parishes, and for other purposes.

Mr. TOOMER gave notice that he will on Monday ask leave to introduce a Bill to amend an Act to provide by law for the compensation of physicians for *post mortem* examinations.

Mr. TOOMER asked and obtained leave to withdraw from the files of the House the petition of the Liberty Fire Engine Company ;

Also, the petition of sundry citizens, praying that the said Company may be incorporated.

On motion of Mr. ROBERT MUNRO, Jr., the House was adjourned at 37 minutes past 4 o'clock, P. M.

MONDAY, DECEMBER 4, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The SPEAKER laid before the House a communication from John Anthon, President of the New York Law Institute, on the matter of a donation to that Institute of a copy of the Public Acts and Statutes of this State; which was referred to the Committee on the Legislative Library.

The SPEAKER, under the rule of the House, called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning at Abbeville.

Mr. HEARST presented the petition of sundry citizens of Abbeville District, praying for the opening of a public road from Black's Mills to intersect the public road near Fair's Bridge, on Little River; which was referred to the Committee on Roads, Bridges and Ferries;

Also, the petition of Daniel Rountree, praying compensation for injury sustained in opening a public road; and.

Mr. GRAHAM presented the account of Dr. D. M. Lafitte, for a *post mortem* examination; which were severally referred to the Committee on Claims.

Mr. McCRADY presented the petition of certain citizens of Moultrieville, for amendment of the charter of that town, in relation to the hours of holding municipal elections; which was referred to the Committee on Incorporations.

Mr. W. G. DESAUSSURE presented the accounts of Dr. John L. Dawson, for *post mortem* examinations;

Also, the account of Dr. H. W. DeSaussure, for a *post mortem* examination; which were severally referred to the Committee on Claims;

Also, the petition of the Commercial Bank of Columbia, South Carolina, to refund a tax and to lower the rate of taxation; which was referred to the Committee of Ways and Means.

Mr. McQUEEN presented the petition of sundry citizens of the town of Cheraw, praying an alteration in the corporate limits of said town;

Also, the counter-petition of sundry citizens of the town of Cheraw on the same subject; which were severally referred to the Committee on Incorporations.

Mr. MOORER presented the petition of the Town Council of Summer-ville, praying for an amendment of the charter of said town; which was referred to the Committee on Incorporations.

Mr. TILLMAN presented the memorial of sundry citizens of Graniteville and the neighborhood, against the application of the Graniteville Manufacturing Company, to prohibit the sale of spirituous liquors within three miles of that place; which was referred to the Committee on Grievances;

Mr. MORAGNE presented the account of E. W. Perry, against the State, for services as constable; which was referred to the Committee on Claims.

Mr. SULLIVAN presented the memorial of Robert Cunningham and George Anderson, praying a renewal of a charter for a Ferry at the confluence of Saluda and Reedy Rivers, in the name of themselves and the heirs of T. Y. Neely, deceased; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. ROWELL presented the account of Dr. W. M. Davis, for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. WILLIAM WALLACE presented the annual return of the Commissioners of Free Schools for Richland District; which was referred to the Committee on Education;

Also, the petition of Benjamin Perry, Secretary of State, for compensation for services rendered the State; which was referred to the Committee on Claims.

Mr. W. D. DESAUSSURE presented the petition of sundry citizens of Columbia, praying to be incorporated as the "Columbia Hotel Company;" which was referred to the Committee on Incorporations.

The Senate returned, with their concurrence, the Report of the Committee on Education on Message No. 2 of the Governor, inviting the Legislature to attend the Commencement of the South Carolina College.

On motion of Mr. SULLIVAN, the House then joined the procession in front of the Capital, and attended the exercises of the Commencement of the South Carolina College.

The SPEAKER having resumed the Chair, laid before the House the following papers from the Senate:

The Report of the Committee on the Lunatic Asylum and Medical Accounts on the accounts of Dr. T. A. Dargan;

Also, the Report of the same Committee, on the account of Dr. J. H. Mellechamp, for a *post mortem* examination;

Also, the Report of the same Committee on the account of Drs. J. K. and T. A. Dargan, for Medical services rendered to State prisoners;

Also, the Report of the same Committee on the account of Dr. George S. Pelzer, for a *post mortem* examination;

Also, the Report of the same Committee on the petition of Dr. John H. Grant, for medical services;

Also, the Report of the same Committee on the petition of Dr. W. K. Cuckow, praying compensation for medical services; which were severally referred to the Committee on Claims.

Also, a Bill to amend an Act entitled "An Act to re-charter the Merchants' Bank of South Carolina, at Cheraw;" which was referred to the Committee of Ways and Means.

Also, the Private Annual Report of the President of the Bank of the State; which was ordered to *lie on the table*.

The SPEAKER then called for Reports of Standing Committees, in their order, and of Special Committees.

Mr. MIDDLETON, from the Committee of Ways and Means, made Reports

On the memorial of the City Council of Charleston, for an increase of appropriation for the transient poor;

On a Bill to amend the Charter of the Bank of the State of South Carolina;

On the memorial of the Farmers' and Exchange Bank of Charleston, to be refunded a tax on real estate;

On Abstract of Expenditures for the Poor of Charleston, in 1854; which were severally ordered for consideration to-morrow;

Mr. MITCHELL, from the Committee on the Judiciary, made Reports

On the presentment of the Grand Jury of Lexington, recommending that Jurors attending Magistrate's Courts be allowed compensation;

On the petition of Abner L. McWhorter, praying the Legislature to change his name;

On the petition of sundry citizens of Sumter, praying an increased compensation to jurors and witnesses; which were severally ordered for consideration to-morrow.

Mr. THOMSON, from the Committee on Claims, made Reports

On the petition of John S. Miller, Tax Collector of Chesterfield District, praying compensation for taking returns of births, marriages, and deaths;

On the petition of Thomas Atkinson, Tax Collector of Darlington District, praying compensation for taking returns of births, marriages, and deaths;

On the account of J. J. McCarter & Co., for one hundred and twenty-four volumes of Reports furnished the State;

On the account of Thomas J. Warren, for public printing;

On the account of G. P. Thomas, for a *post mortem* examination;

On the account of W. W. Goodman, jailor of Edgefield District, for blankets furnished;

On the account of Wm. H. Huger, for his salary as Registrar of the Lower Division;

On the account of Alexander Strain, a constable, for services rendered the State ; which were severally ordered for consideration to-morrow.

Mr. JONES, from the Committee on Claims, made a Report on the petition of Larkin Barmore, praying compensation for two slaves executed.

Mr. SIMPSON, from the same Committee, made a Report on the petition of Gabriel South, praying compensation for a slave executed ; which were severally ordered for consideration to-morrow.

Mr. TOBIN, from the Committee on Incorporations, made a Report on the petitions for and against the incorporation of the town of Williston ; which was ordered for consideration to-morrow.

Mr. RICHARDSON, from the Committee on Public Printing, made a Report on proposals for Public Printing ; and

Mr. TRIMMIER submitted the Report of the minority of the same Committee, on the same subject ; which were severally ordered for consideration to-morrow.

Mr. READ, from the Special Joint Committee to make arrangements for religious services in the Hall of the House of Representatives on the 9th of December, made a Report ; which was ordered for consideration to-morrow.

Mr. FURMAN, from the Committee appointed to count the votes for State Assessor for the Parishes of St. Philip's and St. Michael's, reported that no candidate having received a majority of the votes cast, there was consequently no election.

On motion of Mr. MCCRADY, it was

*Ordered*, That a Message be sent to the Senate, asking that body to join this House in a ballot for State Assessor for the parishes of St. Philip's and St. Michael's, to-morrow, at half-past twelve o'clock, and immediately thereafter for Surveyor General.

On motion of Mr. MITCHELL, it was

*Ordered*, That a message be sent to the Senate, proposing to that body to go into an election for Secretary of State, on Wednesday next, at half-past twelve o'clock ; and immediately thereafter for State Reporter.

The SPEAKER then called for Resolutions, Bills and Motions, commencing with Charleston District.

Mr. KIRK asked and obtained leave to withdraw from the files of the House the account of W. L. Thewat, for services rendered the State as constable.

On motion, leave of absence for to-morrow was granted to Mr. James D. Blanding, member from Claremont.

On motion, leave of absence for the remainder of the session was granted to Mr. Seabrook, member from St. Andrew's.

Mr. MCCRADY gave notice that he will to-morrow ask leave to intro-

duce a Bill to amend the charter of the Farmers' and Exchange Bank of Charleston.

Pursuant to notice, and by leave of the House, Mr. McCRADY introduced a Bill to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the capital stock of Railroad, Plank Road, and Canal Companies, and to confirm the subscriptions heretofore made by them; which was read the first time, and referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. T. Y. SIMONS, Jr., introduced a Bill to vest in the several Boards of Commissioners of Free Schools the vacant lands in their respective districts and parishes, and for other purposes; which was read the first time, and referred to the Committee on Education.

Pursuant to notice, and by leave of the House, Mr. CUNNINGHAM introduced a Bill to authorize the United States to purchase certain parcels of land in this State for the erection of Light Houses, Beacon Lights, and for other purposes; which was read the first time, and referred to the Committee on Federal Relations.

Pursuant to notice, and by leave of the House, Mr. SIEGLING introduced a Bill to regulate appeals at law for Charleston District; which was read the first time, and referred to the Committee on the Judiciary.

Mr. McQUEEN gave notice that to-morrow he will ask leave to introduce a Bill to alter and amend the License Laws of this State.

Mr. CHARLES asked and obtained leave to withdraw the account of Dr. R. L. Hart from the Committee on Claims, and that the same be referred to the Medical Committee.

Pursuant to notice, and by leave of the House, Mr. TILLMAN introduced a Bill to repeal the twenty-seventh section of an Act, entitled "An Act to establish certain Roads, Bridges and Ferries, and to renew certain charters heretofore granted," ratified on the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-three; which was read the first time, and referred to the Committee on the Judiciary.

Mr. BOLSTON gave notice that he will to-morrow ask leave to introduce a Bill to amend the charter of the Charlotte and South Carolina Railroad Company.

Mr. PERRY introduced a Resolution as to the expediency of establishing County Courts in South Carolina;

Also, a Resolution as to the expediency of establishing a separate Court of Appeals; which were severally referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. PERRY introduced a Bill to authorize aid to the Blue Ridge Railroad in South Carolina;

which was read the first time, and referred to the Committee of Ways and Means.

Mr. SIEGLING gave notice that to-morrow he will move to suspend the amendments to the 60th Rule of this House for the remainder of this session.

Pursuant to notice, and by leave of the House, Mr. MUNRO introduced a Bill to grant the aid of the State in the construction of a Plank Road from Conwayboro' to Fair Bluff, North Carolina; which was read the first time, and referred to the Committee of Ways and Means.

On motion of Mr. THORNWELL, it was

*Ordered*, That when this House adjourns, it shall be adjourned to meet to-morrow, at 12 o'clock, M.

On motion of Mr. THORNWELL, the House adjourned at eighteen minutes past 4 o'clock, P. M.

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TUESDAY, DECEMBER 5, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The SPEAKER laid before the House the Report of the Comptroller General on the Contingent Accounts of the Upper Division; which, with the accompanying documents, was referred to the Committee on Accounts.

The SPEAKER, under the rule of the House, called for petitions, memorials, presentments of grand juries, returns of commissioners, and such like papers, beginning at Abbeville.

Mr. WILKES presented the account of John Martin, for blankets furnished prisoners in jail; which was referred to the Committee on Claims.

Mr. KING presented the memorial of the President, Trustees and Faculty of the Medical College of the State of South Carolina, praying for a renewal of their charter; which was referred to the Committee on Incorporations.

Mr. KIRK presented the petition of William H. Sinkler, praying that Nelson's Ferry be re-established and vested in him for five years; which was referred to the Committee on Roads, Bridges, and Ferries.

The following Message was received from the Senate:

IN THE SENATE, Dec. 5, 1854.

*Mr. Speaker and Gentlemen**of the House of Representatives:*

Senate respectfully concur in the proposal of your House to go into a joint ballot for State Assessor for St. Philip's and St. Michael's, at half-past 12 this day, and immediately thereafter for Surveyor General.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. McQUEEN presented the account of J. Powell for public printing; which was referred to the Committee on Claims.

Mr. TILLMAN presented the memorial of sundry citizens of Hamburg, praying the passage of an Act incorporating the Hamburg Building and Loan Association; which was referred to the Committee on Incorporations.

Mr. BOYLSTON presented the memorial of R. L. Bryan for a subscription to DeSaussure's Equity Reports; which was referred to the Committee on the Judiciary;

Also, the petition of Fairfield Church in Fairfield District, praying a renewal of their charter; which was referred to the Committee on Incorporations;

Also, the Report of the Charlotte and South Carolina Railroad Company of its progress and condition for the year 1853.

The Senate then attended, and joined the House in a ballot for State Assessor for St. Philip's and St. Michael's.

Mr. MUNRO presented the Report of the Solicitor of the Eastern Circuit on District officers and their offices for the year 1854; which was referred to the Committee on District Officers and Offices.

Mr. BRYCE presented the claim of W. W. Purse for work done in the Representative Hall; which was referred to the Committee on Claims.

The Senate then attended and joined the House in a ballot for Surveyor General.

Mr. TRIMMIER presented the petition of sundry citizens of Spartanburg, asking a charter for Sarratt's Ferry, on Broad River;

Also, the counter-petition of sundry citizens of Spartanburg District on the same subject; which were severally referred to the Committee on Roads, Bridges, and Ferries.

By unanimous consent, the House recurred to the call for Abbeville District, and

Mr. McGOWAN presented the petition of sundry citizens of Greenwood, Abbeville District, praying that John R. Tarrant may be re-appointed a magistrate for said village; which was referred to the Abbeville delegation;

Also, the Report of the Solicitor of the Western Circuit on District officers



and their offices; which was referred to the Committee on District Officers and Offices.

Also, the Report of the Board of Visitors of the State Military Academies for 1854, which was referred to the Committee on the Military, and the Report, with Exhibits A. B. and C. were ordered to be printed.

Mr. BLANDING presented the petition of John G. White, Tax Collector of Claremont County, praying compensation for registration of births, deaths and marriages; which was referred to the Committee on Claims.

Mr. GREEN, from the Committee appointed to count the votes for State Assessor for the Parishes of St. Philip's and St. Michael's, reported that Mr. James S. Johnson had received a majority of the votes cast.

Whereupon the SPEAKER announced that Mr. James S. Johnson was duly elected Assessor of the Parishes of St. Philip's and St. Michael's.

By unanimous consent, the House recurred to the call for Charleston; and

Mr. McCRADY presented the memorial of sundry stockholders of the Farmers' and Exchange Bank, praying an amendment of the charter of the said Bank; which was referred to the Committee of Ways and Means; and

Also, by unanimous consent, the House recurred to the call for Richland; and Mr. WILLIAM WALLACE presented the counter-petition of Jacob Geiger, in relation to a Bill to allow the Town Council of Columbia to use the water of the Columbia Canal Company; which was referred to Committee on Internal Improvements.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. McGOWAN in the Chair, and proceeded to the consideration of a Bill for the re-organization and improvement of the Common School System of South Carolina, which had been made the Special Order of the day for this day, at 1 o'clock, in Committee of the Whole House, and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

Mr. HAMPTON, from the Committee appointed to count the votes cast for Surveyor General, reported that no candidate had received a majority of the votes cast, and there was consequently no election.

The following messages were received from the Senate, which were ordered to lie on the table:

IN THE SENATE, December 5, 1854.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully informs your House that they have appointed Messrs. ALLEN, BUCHANAN, HASSELL, MORDECAI and CANNON a Committee on the

part of the Senate, to co-operate with a similar Committee on the part of the House, to nominate a President and Directors for the Bank of the State of South Carolina for the ensuing year.

By order of the Senate,  
ROBT. F. W. ALLSTON, *President*.

IN THE SENATE, December 5, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to your House to go forthwith into another ballot for Surveyor General.

By order of the Senate,  
ROBT. F. W. ALLSTON, *President*.

The SPEAKER then called for Reports of Standing Committees in their order, and of Special Committees.

Mr. MIDDLETON submitted the Report of the Committee of Ways and Means on a Bill for the establishment of rates of interest, and for the repeal of the Usury Laws; which was ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom had been referred the petition of the President and Directors of the Bank of Georgetown, praying for a re-charter, made a Report, and reported a Bill to re-charter the Bank of Georgetown; which was read the first time, and ordered to be read a second time to-morrow.

Mr. MIDDLETON, from the same Committee, to whom had been referred the petition of W. Wright and J. M. Ross, executors of J. Blair, made a report, which was ordered for consideration to-morrow; and reported a Bill to authorize the Comptroller General to accept the bequest of the late John Blair; which was read the first time, and ordered to be read a second time to-morrow.

Mr. THOMSON, from the Committee on Claims, made reports

On the account of the Chester Standard;

On the account of Drs. Wardlaw & Lyon;

On the account of W. P. Price;

On the account of Thomas J. Workman;

On the account of S. P. Kinard; which were severally ordered for consideration to-morrow.

Mr. MCGOWAN presented the Report of the Committee of the Whole House upon "A Bill for the re-organization and Improvement of the Common School System of South Carolina;" which was ordered to be considered immediately, and was agreed to.

Mr. KING, from the Committee on Incorporations, to whom was referred

a Bill to amend the charter of the town of Georgetown, made a report; which was ordered for consideration to-morrow.

Mr. SPAIN, from the Committee on Incorporations, to whom had been referred the petition of the President of the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia, made a report, which was ordered for consideration to-morrow; and reported a Bill to re-charter of the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia; which was read the first time, and ordered to be read a second time to-morrow.

Mr. NOBLE presented the Report of the Committee on Incorporations on the petition of sundry citizens of the town of Cheraw, praying an alteration in the corporate limits of said town; and also the counter-petition to the same; which was ordered for consideration to-morrow.

Mr. NOBLE, from the same Committee, to whom were referred the memorial of sundry citizens of Hamburg, praying the Town Council to be authorized to increase their subscription to certain Railroad Companies, and for other purposes, made a Report, which was considered immediately, and agreed to; and reported a Bill to authorize the Town Council of Hamburg to subscribe to the capital stock of certain Railroad Companies therein mentioned; which was read the first time, and ordered to be read a second time to-morrow.

Mr. WHALEY, from the Committee on Incorporations, made a Report on a Bill to amend an Act to incorporate the Firemen's Insurance Company of Charleston, passed 16th December, 1852; which was ordered for consideration to-morrow.

Mr. RICE, from the same Committee, to whom was referred the petition of John Fisher, C. F. McCay, and others, praying to be incorporated into a Mutual Life Insurance Company, made a Report, which was ordered for consideration to-morrow; and reported a Bill to incorporate the Southern Mutual Life Insurance Company; which was read the first time, and ordered to be read a second time to-morrow.

Mr. HARRISON, from the Committee on Roads, Bridges, and Ferries, made Reports

On the petition of the Upper Board of Commissioners of St. George's Parish, praying amendment of the Road Law, and other purposes;

Also, on the presentment of the Grand Jury of Lexington;

Also, on the Report of the Commissioners appointed to assess the damages sustained by O. Mauldin, by a change in a public highway; which were severally considered immediately, and agreed to;

Also, on the petition of the Western Board of Road Commissioners of Clarendon County; which was ordered for consideration to-morrow.

On motion of Mr. TOBIN, the Committee on Incorporations were dis-

charged from the further consideration of a Bill to vest in Palmetto Lodge, No. 5, I. O. O. F., of Columbia, the title to a certain lot of ground in said town heretofore granted, and for other purposes; and the same was referred to the Committee on the Judiciary.

Mr. TOBIN, from the Committee on Incorporations, made a Report on a Bill to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the capital stock of railroads, plank roads, and canal companies, and to confirm the subscriptions heretofore made by them; which was ordered for consideration to-morrow.

Mr. WILLIAMS, from the Committee on District Officers and Offices, made Reports

On the presentment of the Grand Jury of Union District;

On the petition of sundry citizens of Newberry District, for the appointment of a magistrate;

On the petition of sundry citizens of Union District, for the appointment of a magistrate; which were severally ordered for consideration to-morrow.

On motion of Mr. DUNCAN, the Committee on Agriculture were discharged from the further consideration of the petition of David Truesdell and others, asking for a lease of certain lands at the east end of Moultrieville; and the same was referred to the delegation from St. Philip's and St. Michael's.

Mr. GREEN, from the Committee on Grievances, made a Report on the petition of Thomas Frean, asking leave to be discharged from the further consideration of the same; which was considered immediately, and agreed to.

Mr. HAMPTON asked and obtained leave to withdraw the petition of Thomas Frean, late Surveyor General, from the files of the House.

Mr. HEARST, from the Medical Committee, made a Report on the accounts of Dr. J. H. Dean;

And Mr. BAILEY, from the same Committee, made a Report on so much of the Governor's Message as relates to the registration of births, deaths, and marriages; which were severally ordered for consideration to-morrow.

Mr. READ, from the Special Joint Committee, made a Report on the Report of the Senate in reference to religious services in the Hall of the House of Representatives; which was ordered for consideration to-morrow.

The SPEAKER then called for Resolutions, Bills, and Motions, in their order.

On motion of Mr. DUNCAN, it was ordered that when this House adjourns, it shall be adjourned to meet at 12 o'clock, M., to-morrow.

Mr. KERSHAW asked and obtained leave to withdraw from the files of the House the account of James Collier, presented at the last session.

Pursuant to notice, and by leave of the House, Mr. HAMMOND introduced a Bill to alter and amend the Constitution, so as to give the election

of Governor and Lieutenant-Governor to the people; which was read the first time, and referred to the Committee on the Judiciary.

Mr. HAMMOND introduced the following Resolution:

*Resolved*, That a message be sent to the Senate, proposing to that Body to adjourn the present Session of the Legislature on Thursday, the 21st instant; which was ordered for consideration to-morrow.

On motion of Mr. HAMMOND, it was ordered that the Reporter of the Lancaster Ledger be allowed a seat on the floor of the House.

Mr. SULLIVAN introduced the following Resolution:

*Resolved*, That the use of this Hall be granted on Wednesday evening next to Professor McCay, of the College, for the purpose of delivering his Inaugural Address.

Pursuant to notice, and by leave of the House, Mr. HENDERSON introduced a Bill to provide compensation for witnesses in criminal causes in the Court of General Sessions, and for other purposes; which was read the first time, and referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. ANDERSON introduced a Bill to regulate the commissions of Tax Collectors; which was read the first time, and referred to the Committee of Ways and Means.

Mr. SULLIVAN asked and obtained leave to withdraw from the files of the House the account of J. J. Atwood.

Mr. HOPE submitted the following Preamble and Resolution; which were immediately considered and agreed to:

*Whereas*, The passage of the Constitutional Bill at the first session of the last Legislature, whereby the electoral boundary of Lexington District has been considerably enlarged; and *whereas*, there is no Commissioner of Free Schools to act specially for that large section known as New Lexington; Therefore,

*Resolved*, That the Committee on District Officers and Offices be instructed to inquire into the expediency and necessity of appointing an additional Commissioner of Free Schools to the existing Board, to serve in the 13th Section of School Divisions in said District, embracing the part called New-Lexington, and that they have leave to Report by Bill, or otherwise.

Pursuant to notice, and by leave of the House, Mr. MULLINS introduced a Bill to arrange the State into Judicial Circuits, and to provide for the election of an additional Law Judge; which was read the first time, and referred to the Committee on the Judiciary;

Also, a Bill to amend the charter of the Wilmington and Manchester Railroad Company; which was read the first time, and referred to the Committee on Incorporations.

Mr. WILLIAM WALLACE gave notice that to-morrow he will ask leave

to introduce a Bill to provide for the appointment of Commissioners of the Poor in certain cases.

Mr. SPAIN gave notice that to-morrow he will ask leave to introduce a Bill to alter the law in relation to pleadings in the Courts of Law; which was considered immediately and agreed to.

Pursuant to notice, and by leave of the House; Mr. SPAIN introduced a Bill to exempt Ministers of the Gospel from the performance of patrol duty; which was read the first time, and referred to the Committee on the Military;

Also, a Bill to provide for the creation of a new Judicial Circuit; for the election of an additional Law Judge, and for other purposes; which was read the first time, and referred to the Committee on the Judiciary.

Also, a Bill prescribing on the part of this State the time, place and manner of appointing Electors of President and Vice-President of the United States; which was read the first time, and made the Special Order for Thursday next, at 1 o'clock, P. M.

Pursuant to notice, and by leave of the House, Mr. GREEN introduced a Bill exempting certain persons therein mentioned, from road duty on certain conditions; which was read the first time and referred to the Committee on Roads, Bridges, and Ferries.

Mr. BLANDING introduced the following resolution; which was considered immediately and agreed to.

*Resolved*, That it be referred to the Committee on the Military to enquire into the policy of so altering the law as to direct that all musters shall be ordered between the first day of October and the first day of March in each year.

Mr. BLANDING also gave notice that he will to-morrow ask leave to introduce a Bill to alter the law of evidence in certain particulars;

Also, that he will to-morrow ask leave to introduce a Bill to alter the law in relation to giving in evidence office copies of deeds.

Pursuant to notice, and by leave of the House, Mr. BLANDING introduced a Bill to regulate in certain particulars the practice of the courts in the trial of actions of trespass to try title and *quære clausum fregit*, which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. RICE introduced a Bill to restrain the citizens of this State from voting more than once in the same election, and to prevent other inroads upon the purity of the elective franchise; which was read the first time and referred to the Committee on Privileges and Elections;

Also, a Bill to supersede lane fences by erecting gates; which was read the first time, and referred to the Committee on Roads, Bridges, and Ferries.

On motion of Mr. CLARK, the House was adjourned at fifty-six minutes past 4 o'clock.

## WEDNESDAY, DECEMBER 6, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House for concurrence the Reports of the Committee on Finance and Banks, on the petition of Dr. P. Pritchard, praying to be relieved of the payment of a double tax execution ;

Also, the report of the same Committee on the account of the Town Council of Beaufort, for amount paid transient poor for 1854 ; which were severally referred to the Committee of Ways and Means ;

Also, the report of the Committee on Claims and Grievances on the account of R. W. Gibbs, Jr., as Registrar of the Upper Division ;

Also, on the petition of John R. Beaty, praying compensation for services rendered the State ;

Also, on the petition of P. D. Stokes, a constable, asking to be paid the amount of a constable's ticket, said to be lost or destroyed ; which were severally referred to the Committee on Claims.

The Senate sent to this House the following Bills ; which were read the first time :

A Bill to amend an Act, entitled "An Act to incorporate the North-Eastern Railroad Company ;" which was referred to the Committee on Incorporations ;

A Bill to declare Little Saltketcher navigable between the junction of Big and Little Saltketcher and Carter's Ford ; which was referred to the Committee on Internal Improvements ;

A Bill to amend the charter of the Bank of the State of South Carolina ; which was referred to the Committee of Ways and Means.

The SPEAKER, under the rule of the House, called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers, beginning at Abbeville.

Mr. HARRISON presented the petition of the Saluda Baptist Association, praying for incorporation ; which was referred to the Committee on Incorporations ;

Also, the account of S. G. Earle, for public printing ; which was referred to the Committee on Claims.

The Senate attended and joined the House in a ballet for Secretary of State.

Mr. GRAHAM presented the petition of sundry citizens of Barnwell District, praying the establishment of a new election precinct ; which was referred to the Committee on Privileges and Elections.

The Senate attended and joined the House in a ballot for State Reporter.

The SPEAKER resumed the call for memorials, petitions, presentments of Grand Juries, returns of Commissioners, and such like papers; and

Mr. W. G. DESSAUSURE presented the memorial of the Charleston Chamber of Commerce, for the repeal of the Usury Laws; which were referred to the Committee of Ways and Means.

Mr. BAILEY presented the bill of Dr. T. L. Ogier, for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. T. Y. SIMONS, Jr., presented the petition of the Palmetto Loan and Building Association, praying an Act of Incorporation; which was referred to the Committee on Incorporations.

Mr. CAMPBELL presented the petition of the Charleston Fire Engine Company for re-charter; which was referred to the Committee on Incorporations.

Mr. LOWRY presented the account of Stephen Jackson, Sheriff of Chesterfield District, praying payment of his account for blankets furnished; which was referred to the Committee on Claims.

Mr. McQUEEN presented the petition of the Commissioners of Public Buildings of Chesterfield District to be refunded a sum of money expended in the erection of a new jail; which was referred to the Committee on Public Buildings.

Mr. MOBLEY presented the petition of sundry citizens of Edgefield District praying the discontinuance of an election precinct; which was referred to the Committee on Privileges and Elections.

Mr. BOYLSTON presented the account of F. Gaillard, for public printing; which was referred to the Committee on Claims.

By unanimous consent, the House recurred to the call for Georgetown; and

Mr. MIDDLETON presented the counter-petition of sundry inhabitants of Georgetown against any extension of the powers of the Town Council; which was referred to the Committee on Incorporations;

Also, the petition of H. J. Morris for a re-charter of their ferries across Black River; which was referred to the Committee on Roads, Bridges, and Ferries.

Mr. MULLINS presented the account of A. Leggette for services rendered the State; which was referred to the Committee on Claims.

Mr. BRYCE presented the memorial of Charles McCulloch, praying payment of his account against the the Commissioners of the New State Capitol; which was referred to the Committee on Claims.

Mr. SPAIN presented the petition of sundry citizens of Sumter District, praying an act of incorporation for the "Calhoun Lodge, No.-1, Knights of Jericho;" which was referred to the Committee on Incorporations.



Mr. McKNIGHT presented the petition of sundry citizens of Williamsburg District, on a certain nuisance; which was referred to the Committee on Grievances.

Mr. WILLIAMS presented the return of the Commissioners of Free Schools for St. Andrew's Parish for the year 1854; which was referred to the Committee on Education;

Also, the accounts of Drs. Barron and Bratton, for attendance on a prisoner confined in jail;

Also, the petition of J. L. Miller for payment of a certificate given to V. E. McElhany for attendance as constable in the Court of Equity; which were severally referred to the Committee on Claims.

Mr. CLAWSON presented the petition of sundry citizens of York District praying for the opening of a public Road in said District; which was referred to the Committee on Roads, Bridges, and Ferries.

The SPEAKER then called for reports of Standing Committees in their order, and of Special Committees, commencing with the Committee on Privileges and Elections.

Mr. CUNNINGHAM presented the Report of the Committee on Privileges and Elections on the contested election from St. Peter's Parish; which was considered immediately, and was agreed to.

Mr. McKenzie, member elect from St. Peter's Parish, appeared at the Clerk's desk, was sworn, and took his seat.

Mr. HAYNESWORTH, from the Committee appointed to count the votes for Secretary of State, reported that no person had received a majority of the votes cast, and that consequently there was no election.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. McCRADY in the Chair, and proceeded to the consideration of a Bill to provide for Banks of Discount and Deposit, and to define and limit the business, power, and privileges of Banks, which had been made the special order of the day for this day at half-past one o'clock, P. M., in Committee of the Whole House, and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

The following message was received from the Senate:

IN THE SENATE, Dec. 6, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully proposes to your body to go forthwith into another ballot for Secretary of State and immediately thereafter into another ballot for Surveyor General.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. W. G. DESAUSSEURE, a message of concurrence was returned to the Senate.

The SPEAKER then resumed the call, and .

Mr. MIDDLETON, from the Committee of Ways and Means, made a Report on a Bill to amend an Act to authorize the formation of the Savannah River Valley Railroad Company and for other purposes; which was ordered for consideration to-morrow;

Also, the Report of the same Committee, to whom had been referred the memorial of the Blue Ridge Railroad Company, and a Bill to authorize aid to the Blue Ridge Railroad in South Carolina; which was ordered for consideration to-morrow.

Mr. BOYKIN presented the report of the same Committee, to whom had been referred the petition and memorial of James Munroe, praying an Act of incorporation for the Commercial Bank of Charleston, South Carolina; and a Bill to incorporate the Commercial Bank of Charleston, South Carolina; which was ordered for consideration to-morrow;

Also, the report of the same Committee on a Bill to grant the aid of the State in the construction of a plank road from Conwayboro' to Fair Bluff, North Carolina; which was ordered for consideration to-morrow.

Mr. MITCHELL, from the Committee on the Judiciary, to whom had been referred the petition of William Gregg, President of the Graniteville Manufacturing Company, made a report, and reported a Bill; which was read the first time and ordered to be read the second time to-morrow.

Mr. W. G. DESAUSSEURE presented the report of the Committee on the Judiciary on so much of the presentment of the Grand Jury of Fairfield, for Fall Term, 1854, as recommends the passage of a law to allow the books of planters and others to be given in evidence; which was ordered for consideration to-morrow.

Also, the report of the same Committee on the petition of sundry citizens of Sumter, praying increased compensation for constables; which was ordered for consideration to-morrow.

Mr. BOYLSTON presented the report of the Committee on the Judiciary on a Bill to alter and amend the law in relation to the jurisdiction of Magistrates; which was ordered for consideration to-morrow.

The Senate then attended and joined the House in a second ballot for Secretary of State.

Mr. B. H. WILSON from the Committee on the Judiciary to whom had been referred a Bill to reduce all acts and clauses of acts exempting property from levy and sale for debt to one Act and to alter and amend the same, made a report and reported a bill which was read the first time and ordered to be read a second time to-morrow.

Also, the report of the same Committee on the petition of John Tolle and

Anne E. Lips to vest in them certain escheated lands in the City of Charleston; which was ordered for consideration to-morrow.

The Senate attended and joined the House in a second ballot for Surveyor General.

Mr. THORNWELL, from the Committee on the Judiciary, to whom had been referred the petition of John Steen and others, praying that the right, title and interest of the State in the escheated estate of Charity Steen, may be vested in them, made a report, and reported a Bill which was read the first time, and ordered to be read a second time to-morrow.

Mr. HOPE, from the Committee appointed to count the votes for Secretary of State reported that no candidate had received a majority of the votes cast and consequently there was no election.

Mr. HENDERSON, from the Committee appointed to count the votes for State Reporter, reported that Mr. J. S. G. Richardson had received a majority of the votes cast and was consequently elected; whereupon the SPEAKER announced that J. S. G. Richardson was duly elected State Reporter.

Mr. McCRADY presented the report of the Committee of the Whole House upon a Bill to provide for Banks of discount and deposit, and to define and limit the business, power, and privileges of Banks;" which was considered immediately, and was agreed to.

By unanimous consent the House recurred to the call for Reports from the Committee on Federal Relations; and

Mr. McCRADY presented the report of the Committee on Federal Relations on a Bill to authorize the United States to purchase certain parcels of land in this State for the erection of Light Houses, Beacon Lights and for other purposes; which was ordered for consideration to-morrow.

Mr. THOMSON, from the Committee on Claims, made reports

On the account of Walker & Moore for public printing;

On the account of Dr. M. Lafitte, Sen., for a *post mortem* examination;

On the accounts presented in the name of James Adams for blanks furnished;

On the account of Evans & DeLorme for public printing;

On the account of R. S. Bailey for public printing;

On the account of V. Little for public printing;

On the account of S. G. Courtenay for work done under the order of the Clerk of the House; which were severally ordered for consideration to-morrow.

Mr. KING, from the Committee on Incorporations, to whom had been referred the petition of John N. Scofield and others, praying for incorporation of "the Columbia Machine Works," made a report and reported a Bill

which was read the first time and ordered to be read a second time to-morrow.

Mr. SPAIN, from the same Committee to whom had been referred a Bill to amend the charter of the Wilmington and Manchester Railroad Company, made a report which was ordered for consideration to-morrow.

Mr. TUCKER, from the same Committee to whom had been referred the petition of the Town Council of Yorkville, praying an amendment or extension of their charter, made a report, and reported a Bill; which was read the first time, and ordered to be read a second time to-morrow.

Mr. B. J. WHALEY presented the report of the same Committee on a Bill to incorporate the Merchants' Mutual Insurance Company; which was ordered for consideration to-morrow.

Mr. B. J. WHALEY, from the Committee on Incorporations, to whom had been referred the memorial of Commissioners of Cross Roads for Charleston Neck, made a report, and reported a Bill for the better regulation of the Commissioners of Cross Roads for Charleston Neck; which was read the first time, and ordered to be read the second time to-morrow.

Mr. KERSHAW, from the Committee appointed to count the votes for Surveyor General, reported that S. M. Boykin had received a majority of the votes cast, and was consequently elected.

Whereupon the SPEAKER announced that Mr. S. M. Boykin was duly elected Surveyor General.

Mr. NOBLE, from the Committee on Incorporations, to whom had been referred the Bill to incorporate the Charleston Water Company, made a report; which was ordered for consideration to-morrow.

Mr. DUNCAN presented the report of the Committee on Agriculture, on a Bill to amend an Act, entitled "An Act to provide for the inspection of Flour in certain particulars;" which was ordered for consideration to-morrow.

Mr. A. S. WALLACE presented the report of the Committee on Pensions, on the petition of Elizabeth Vann to be paid arrears, and to be placed on the pension roll; which was ordered for consideration to-morrow.

Mr. HEARST, from the Medical Committee, to whom had been referred the petition of the Trustees of the Roper Hospital for an appropriation to assist in the support and expenses of said Hospital, together with so much of the Governor's Message as refers to the same, made a report, and reported a Bill; which was read the first time, and ordered to be read a second time to-morrow.

Mr. BOYKIN, from the Committee on the Legislative Library, to whom had been referred the memorial of John Anthon, President of the New York Law Institute, made a report; which was ordered for consideration to-morrow.

The SPEAKER called for Resolutions, Bills and Motions, commencing at Williamsburg.

Mr. McKNIGHT presented the following Resolution, which was considered immediately, and was agreed to :

*Resolved*, That Mr. S. P. Raymond, of St. Peter's, be paid his mileage and *per diem* for the term of his service on this floor.

Pursuant to notice, and by leave of the House, Mr. McKNIGHT introduced a Bill to allow further time for the holding of the Courts of Equity for Williamsburg District; which was read the first time, and referred to the Committee on the Judiciary.

On motion of Mr. McKNIGHT, it was

*Ordered*, That when this House adjourns, it shall be adjourned to meet to-morrow, at 12 o'clock, M.

Mr. CLAWSON gave notice that he will to-morrow ask leave to introduce a Bill to authorize the Town Council of Yorkville to extend certain streets in said village;

Also, a Bill to classify the lands in the Catawba Indian Boundary, situate in York and Lancaster Districts, and to tax the same as other lands in said Districts, and for other purposes.

On motion of Mr. CLAWSON, the House was adjourned at 5 o'clock, P. M.

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#### THURSDAY, DECEMBER 7, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a *querum* being present, the Journal of yesterday's proceedings was read.

The SPEAKER announced to the House that Mr. Lawrence McKenzie was added to the Committee on Claims and to the Committee on Incorporations; and that Mr. I. K. Furman was added to the Committee on Roads, Bridges and Ferries.

Mr. SIEGLING announced that Mr. C. G. Memminger, member elect from St. Philip's and St. Michael's, was present and ready to take his seat. Whereupon the member appeared at the Clerk's desk, was sworn, and took his seat.

The following message was received from the Senate :

IN THE SENATE, December 7, 1854.

*Mr. Speaker and Gentlemen**of the House of Representatives :*

Senate respectfully proposes to your House to go into a third ballot for Secretary of State, at 1 o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. SPAIN, a message of concurrence was returned to the Senate.

The SPEAKER laid before the House the following Resolution from the Senate :

*Resolved*, That this General Assembly will adjourn *sine die* on Wednesday, the 20th instant, at 9 o'clock, P. M. ;

Which was ordered for consideration to-morrow.

The Senate sent to this House the following Bill :

A Bill to amend an Act entitled an Act to provide for the inspection of Flour in certain particulars ; which was read the first time and referred to the Committee on Agriculture.

The SPEAKER then called for petitions, memorials, presentments of Grand Juries, returns of Commissioners, and such like papers.

Mr. JOHN WILSON presented the presentment of the Grand Jury of Anderson District, at Spring Term, 1854. So much of which as relates to a Poll Tax was referred to the Committee of Ways and Means ; so much thereof as relates to a Penitentiary, and so much as relates to Malicious Prosecutions, etc., was referred to the Committee on the Judiciary.

Mr. HARRISON presented the petition of the State Rights Artillery, praying an appropriation for constructing a house for a piece of Ordnance ; which was referred to the Committee on the Military.

Mr. GRAHAM presented the petition of sundry citizens of Barnwell and Edgefield Districts, praying that John Plunket be permitted to practice as a physician in the treatment of certain diseases, and to make and recover charges therefor ; which was referred to the Medical Committee.

Mr. MOORER presented the petition of St. George Division, No. 16, Sons of Temperance, praying an act of incorporation ; which was referred to the Committee on Incorporations.

Mr. HAYNESWORTH presented the petition of sundry citizens of Darlington District for a new road ; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. BRATTON presented the petition of sundry citizens of Fairfield District, praying for an increase of the capital of the Bank of the State of South Carolina ; which was referred to the Committee of Ways and Means ;

Also, the petition of sundry citizens of Fairfield District, praying restrictions upon the taxing power of Commissioners of Roads; which was referred to the Committee on District Officers and Offices.

Mr. KERSHAW presented the memorial of James McCollin, late Jailor of Kershaw District, praying compensation for keeping a certain lunatic slave; which was referred to the Committee on Claims.

Mr. JONES presented the petition of sundry citizens of Newberry District, praying that James M. Baxter may be re-appointed Magistrate for said District; which was referred to the Committee on District Officers and Offices.

Mr. WILLIAM WALLACE presented the memorial and protest of P. H. Hammerskold, late Superintending Architect for the new State Capitol; which was referred to the Special Joint Committee on the new State Capitol.

Mr. RICE presented the petition of James Gregory and others, to make a certain road in Union District a public highway; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. WILLIAMS presented the petition of sundry citizens of York District, for the establishment of a public road; which was referred to the same Committee.

Mr. CLAWSON presented the account of Adam Ivey, agent of the Catawba Indians, for time spent in the service of the Indians; which was referred to the Committee on Accounts;

Also, the report of Adam Ivey, agent of Catawba Indians, made in accordance with a resolution of the Legislature; which was referred to the same Committee.

By unanimous consent the House recurred to the call for Richland; and

Mr. HAMPTON presented the petition of various persons concerning the records of the Office of Public Works; which was referred to the Committee on the Judiciary.

The SPEAKER announced to the House that, in consequence of the conflagration in the town on last evening, there would be no printed Journals or Calendar for distribution among the members.

The Senate then attended, and joined the House in a third ballot for Secretary of State.

The Senate returned to this House

A Bill to alter the Constitution of this State so as to divide Pendleton into two Election Districts; which was read the third time, and,

On motion of Mr. HARRISON, was made the Special Order of the day for this day at half-past 3 o'clock, P. M.

The SPEAKER called for reports of Standing Committees in their order, and of Special Committees.

Mr. CUNNINGHAM presented the report of the Committee on Privileges

and Elections on the presentment of the Grand Jury of Fairfield District in relation to one day for General Elections; which was ordered for consideration to-morrow.

Mr. BOYLSTON presented the report of the Committee on Privileges and Elections on a Bill to restrain the citizens of this State from voting more than once in the same Election, and to prevent other inroads upon the purity of the Elective franchise; which was ordered for consideration to-morrow.

Mr. MIDDLETON presented the report of the Committee of Ways and Means on the petition of the Commercial Bank of Columbia, S. C., to be refunded a tax and to lower the rate of taxation; which was ordered for consideration to-morrow;

Also, the report of the same Committee on a bill to authorize and require the President and Directors of the Bank of the State of South Carolina to establish a branch of said Bank in Sumterville; which was ordered for consideration to-morrow.

Mr. W. G. DESAUSSURE presented the report of the Committee on the Judiciary on a Bill to provide for the better administration of Justice in the City Court of Charleston; which was ordered for consideration to-morrow.

Mr. THORNWELL presented the report of the same Committee on a Bill to increase the jurisdiction of Ordinaries in the sale and division of real estate and the appointment of guardians; which was ordered for consideration to-morrow.

Mr. THOMSON presented the reports of the Committee on Claims

On the petition of John Watson, praying compensation for damages sustained by running a public road through his land;

On the account of the Charleston Mercury;

On the petition of John L. Miller, praying payment for a Constable's ticket, lost or mislaid;

On the petition of Daniel Rountree, praying compensation for running a road over his land;

On the petition of H. A. Kenrick, praying to be reimbursed certain tolls;

On the account of Bomar & Trimmier; which were severally ordered for consideration to-morrow.

On motion of Mr. THOMSON, the Committee on Claims were discharged from the further consideration of the memorial of Charles McCulloch, praying payment of his account against the Commissioners of new State Capitol; and the same was referred to the Special Joint Committee on the New State Capitol;

Also, from the further consideration of the petition of Joseph D. Daly, for compensation for work done on New State Capitol; and the same was referred to the Special Joint Committee on the New State Capitol;



Also, from the further consideration of the petition of George W. Wright for work done; and the same was referred to the same Committee.

Mr. THOMSON, from the Committee on Claims, made a report on the account of W. F. Durisoe for public printing; which was ordered for consideration to-morrow.

Mr. McCRADY called for the Special Order for this day at 1 o'clock; and, on motion, the same was discharged, and made the Special Order for Friday next, at 1 o'clock, P. M.

Mr. FELDER, from the Committee on Claims, made reports

On the account of J. Powell, for public printing;

On the account of S. G. Earle, for public printing;

On the account of F. Gaillard, for public printing; which were severally ordered for consideration to-morrow.

Mr. BRYCE presented the report of the same Committee

On the account of S. Jackson, for blankets furnished;

On the account of John Martin, for blankets furnished; which were severally ordered for consideration to-morrow.

Mr. HAMMOND presented the report of the same Committee

On the claims of Drs. Bratton & Barron, for attendance on a prisoner;

Also, on the claim of W. W. Purse, for work done in the Representative Hall; which were severally ordered for consideration to-morrow.

Mr. MULLINS presented the report of the Committee on Public Buildings upon the petition of the Commissioners of Public Buildings for Chester District, asking an additional appropriation for the Court House of said District;

Also, the report of the same Committee on the petition of John C. and James Chapman, for additional compensation for building a new Jail in Chesterfield District; which were severally ordered for consideration to-morrow.

Mr. KILGORE, from the Committee appointed to count the votes on the third ballot for Secretary of State, reported that James Patterson had received a majority of the votes cast, and was consequently elected. Whereupon the SPEAKER announced that Mr. James Patterson was duly elected Secretary of State.

Mr. TUCKER presented the report of the Committee on Incorporations, on the counter petition of sundry inhabitants of Georgetown against extension of the powers of the Town Council; which was ordered for consideration to-morrow.

Mr. READ, from the Committee on Colored Population, to whom had been referred so much of the Governor's Message as relates to the imprisonment of Free Persons of Color on board of vessels trading in our ports, made a report, and reported a Bill to amend an Act, entitled "An Act more effectually

to prevent free negroes and other persons of color from entering into this State, and for other purposes," passed the nineteenth day of December, in the year of our Lord, 1835; which was read the first time, and ordered to be read a second time to-morrow.

On motion of Mr. GREEN, the Committee on Grievances were discharged from the further consideration of the memorial of sundry citizens of Graniteville and the neighborhood, against the application of the Graniteville Manufacturing Company to prohibit the sale of spirituous liquors; and the same was referred to the Committee on Roads, Bridges and Ferries.

Mr. GREEN presented the report of the Committee on Grievances on the petition of sundry citizens of Graniteville; which was ordered for consideration to-morrow;

Also, the report of the same Committee on the petition of John Belton O'Neill; which was ordered for consideration to-morrow.

Mr. RICHARDSON, from the Committee on Public Printing, made a report, which was amended by Tucker; considered immediately, and agreed to as amended.

Mr. DANTZLER, from the Committee on Vacant Offices, made a report, which was ordered for consideration to-morrow.

By unanimous consent, the House recurred to the call for reports from the Judiciary Committee, and Mr. MITCHELL presented the report of the Committee on the Judiciary, on a Bill to alter and amend an Act, entitled "An Act to regulate the sittings of the Courts of Appeal;"

Also, the report of the same Committee on a Bill to alter and amend the Constitution, so as to give the election of Governor and Lieutenant-Governor to the people; which were severally ordered for consideration to-morrow.

Mr. HERNDON presented the report of the Abbeville Delegation, on the annual report of the Trustees of the Estate of Dr. John De La Howe, for November, 1854, together with the annual exhibit of the Treasurer; which was ordered for consideration to-morrow.

The SPEAKER called for Resolutions, Bills and Motions.

Pursuant to notice, and by leave of the House, Mr. HEARST introduced a Bill to allow Thomas C. Devlin to hawk and peddle in Abbeville District without the payment of the tax now imposed by law; which was read the first time, and referred to the Committee on Roads, Bridges and Ferries.

Pursuant to notice, and by leave of the House, Mr. TOBIN introduced a Bill to regulate the sale and measurement of Timber in the city of Charleston; which was read the first time, and referred to the Committee on Agriculture.

#### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. McCRADY in the Chair, and proceeded to the consideration of a Bill

to provide for Banks of Discount and Deposit, and to define and limit the business, power and privileges of Banks, which had been made the Special Order of the day for this day, at 2 o'clock, P. M., in Committee of the Whole House; and, after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

Mr. SIEGLING introduced the following Resolution, which was considered immediately, and was agreed to :

*Resolved*, That so much of the 60th Rule of this House, as amended, as requires the Speaker to call in alphabetical order of Judicial Districts for petitions, resolutions, Bills, motions, etc., and for reports of Standing Committees in the order in which they stand in the 18th Rule, be suspended after this day for the remainder of the session.

Mr. CUNNINGHAM gave notice that to-morrow he will ask leave to introduce a Bill to admit Light Infantry and Rifle Corps into the Seventeenth Regiment of Infantry, and for other purposes.

On motion of Mr. CAMPBELL, leave of absence for the remainder of the session was granted to J. C. Whaley.

Pursuant to notice, and by leave of the House, Mr. CAMPBELL introduced a Bill to incorporate the Mount Ina Mining Company; which was read the first time, and referred to the Committee on Incorporations.

Pursuant to notice, and by leave of the House, Mr. TOOMER introduced a Bill to amend an Act, entitled "An Act to provide by law for the compensation of physicians for *post mortem* examinations;" which was read the first time, and referred to the Medical Committee.

Mr. PORCHER gave notice that he will to-morrow ask leave to introduce a Bill to repeal the proviso of the 8th Section of the Act to establish certain roads, etc., passed in 1849.

Pursuant to notice, and by leave of the House, Mr. McQUEEN introduced a Bill to alter and amend the License Laws of this State; which was read the first time and referred to the Committee on Roads, Bridges and Ferries.

Mr. McCRADY presented the Report of the Committee of the Whole on a Bill to provide for Banks of Discount and Deposit, and to define and limit the business, power and privileges of Banks; which was ordered for consideration to-morrow.

Mr. MOBLEY asked and obtained leave to withdraw from the files of the House the account of E. W. Perry.

Mr. TILLMAN gave notice that he will to-morrow ask leave to introduce a Bill to incorporate the Hamburg Building and Loan Association;

On motion of Mr. TILLMAN, it was ordered that when this House adjourns it shall be adjourned to meet to-morrow, at 12 o'clock, M.

The House returned to the call for Charleston, and pursuant to notice and by leave of the House, Mr. McCRADY introduced a Bill to amend the

Charter of the Farmers' and Exchange Bank of Charleston; which was read the first time and referred to the Committee of Ways and Means.

The following message was received from His Excellency the Governor:

EXECUTIVE DEPARTMENT,

December, 7th 1854.

*Gentlemen of the Senate and House of Representatives:*

I am now prepared to submit to you my accounts and vouchers of disbursements from the Contingent Fund for the past year, and I respectfully ask the appointment of a Committee to examine them.

JOHN L. MANNING.

On motion of Mr. READ, a committee of three was appointed to examine the accounts of the Governor.

The SPEAKER announced the following Committee: Messrs. READ, HARRISON and TROTTI.

The SPEAKER then resumed the call, and

Pursuant to notice, and by leave of the House, Mr. BOYLSTON introduced a Bill to amend the Charter of the Charlotte and South Carolina Railroad Company; which was read the first time and referred to the Committee on Incorporations.

Mr. BOYLSTON gave notice that he will to-morrow ask leave to introduce a Bill to incorporate the Columbia and Charlotte Telegraph Company;

Also, a Bill to provide for the appointment of Electors of President and Vice-President of the United States;

Also, a Bill to exempt Wyatt Coleman from the performance of ordinary militia duty.

Mr. MIDDLETON gave notice that he will to-morrow ask leave to introduce a Bill to unite the offices of Register of Mesne Conveyance and Clerk of the Court of Common Pleas and General Sessions for Georgetown District.

Mr. MIDDLETON offered the following resolution; which was considered immediately and was agreed to:

*Resolved*, That the Committee of Ways and Means be instructed to inquire and report to this House as to the expediency of increasing the compensation of the Judges of the Superior Courts of Law and Equity in this State.

Mr. HAMMOND gave notice that he will to-morrow ask leave to introduce a Bill to regulate the commissions of Escheator;

Mr. HENDERSON gave notice that he will to-morrow ask leave to introduce a Bill to alter and amend the Charter of all Railroad Companies in this State, so as to compel said companies to enclose the track and grounds connected with the road.

Mr. HOPE introduced the following resolution, which was ordered for consideration to-morrow :

*Whereas*, There was a resolution passed at the last Session of the Legislature, requiring the Commissioners of Free Schools of each District and Parish to make annual returns to the Courts of their several Districts ; and whereas, this return for the inspection of Grand Juries requires extra services of the secretaries, without affording any really beneficial purpose ; and whereas, these public functionaries are not paid for these delicate services, but must console themselves with the happy thought that they are laboring as patriots for the good of their country; therefore,

*Resolved*, That the resolution passed at the Session of the Legislature of 1853, requiring the Commissioners of Free Schools of each District and Parish to make annual returns to the Courts, be and is hereby rescinded.

Mr. JONES offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Reporter of the Newberrian be allowed a seat on the floor of this House.

Pursuant to notice, and by leave of the House, Mr. WILLIAM WALLACE introduced a Bill to provide for the appointment of Commissioners of the Poor in certain cases ; which was referred to the Committee on District Officers and Offices.

Mr. TUCKER asked and obtained leave to withdraw from the files of the House the account of Henry & Farrow, for printing.

Mr. TUCKER submitted the following resolution, which was agreed to :

*Resolved*, That it be referred to the Committee on the Judiciary to enquire and report as to the expediency of amending the law so as to make the offence of unlawfully trading with a slave punishable by whipping, instead of fine and imprisonment.

Pursuant to notice, and by leave of the House, Mr. SPAIN introduced a Bill to alter the law in relation to Pleadings in the Courts of Law, which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. BLANDING introduced a Bill to amend the law in relation to giving in evidence office copies of deeds ; which was read the first time and referred to the same Committee.

Mr. GREEN submitted the following resolution, which was considered and agreed to :

*Resolved*, That it be referred to the Committee on Education to enquire and report whether it is not expedient and proper that the Free School Appropriations should be distributed according to the wants of the respective election Districts, as manifested by the annual return of the Commissioners, and that said Committee have leave to report by bill or otherwise.

Mr. RICE offered the following resolution, which was considered immediately, and was agreed to.

*Resolved*, That a Committee of six be appointed by the Speaker of this House, to co-operate with a similar one already appointed by the Senate, to nominate a President and Directors for the Bank of the State of South Carolina, for the next ensuing year; and that a message be sent to the Senate, informing that body of such appointment.

Whereupon the SPEAKER appointed the following Committee :

Messrs. B. H. RICE, E. W. CHARLES, NELSON MITCHELL, THOMAS THOMSON, J. B. KERSHAW, and JOSEPH D. POPE.

Mr. W. B. WILSON gave notice that he will to-morrow ask leave to introduce a Bill to incorporate a Presbyterian Church in York District, known as Unity Church.

The House then proceeded to the consideration of the

#### GENERAL ORDERS.

The following Reports were ordered to lie on the table :

Reports of the Committee of Ways and Means

On memorial of sundry citizens, praying the establishment of a branch of the Bank of the State at Sumterville ;

On the petition of T. C. Devlin ; and

The Report of the Committee on Claims on the account of C. J. Flinn.

The following Reports were agreed to :

Report of the Committee of Ways and Means on petition of sundry citizens of Kingston, praying for aid for a plank road from Conwayboro' to Fair Bluff, N. C.

Report of the Committee on Claims on the account of J. W. Pitts.

The following Reports were considered and agreed to, and ordered to be sent to the Senate for concurrence ;

Reports of the Committee on Claims

On the account of J. H. Dillard ;

On the account of Alex'r Williams ;

On the account of Drs. Flinn & Lee ;

On the account of C. J. Flinn ;

On the account of C. C. Higgins ;

On the account of J. J. Bethea ;

On the account of Irby Dunklin ;

On the account of W. B. Nott ;

On the account of J. N. Lawrence ;

On the account of W. W. Brunson ;

On the account of R. S. Mellet ;

On the account of C. P. Woodruff ;

On the account of James M. Hunter;  
 On the account of G. B. Lartigue;  
 On the account of R. A. Archer;  
 On the account of B. T. Yarborough;  
 On the account of J. J. Bethea;  
 On the account of R. A. McKnight;  
 On the account of J. E. & L. M. Grist.

A Bill to authorize and empower the City Council of Charleston to levy and collect taxes on the real estate of Banks within the corporate limits of said city, was read the second time, and ordered to be sent to the Senate.

### SPECIAL ORDER.

The House then, on motion of Mr. HARRISON, proceeded to the consideration of a Bill to alter the Constitution of this State, so as to divide Pendleton into two Election Districts; which had been made the Special Order of the day for this day, at half-past 3 o'clock, P. M., and after some time spent in the discussion thereof, and the question being put, Will the House agree thereto? it passed in the affirmative, two-thirds of the whole representation in this branch of the General Assembly agreeing thereto.

Ayes, 90—Noes, 15.

Those who voted in the affirmative are

|                                 |                           |               |
|---------------------------------|---------------------------|---------------|
| Hon. JAMES SIMONS, Speaker, and |                           |               |
| Messrs. Ambler,                 | Messrs. DeSaussure, W. G. | Messrs. Hope, |
| Anderson,                       | Dorn,                     | Irby,         |
| Beaty,                          | Duncan,                   | Jones,        |
| Blanding,                       | Epps,                     | Kershaw,      |
| Blum,                           | Fox,                      | Kilgore,      |
| Boykin,                         | Furman,                   | King,         |
| Boylston,                       | Gill,                     | Kirk, P. C.,  |
| Bratton,                        | Graham,                   | Landrum,      |
| Bryce,                          | Grisham,                  | Lewis,        |
| Bush,                           | Hammond,                  | Lowry,        |
| Butler,                         | Hampton,                  | McBee,        |
| Campbell,                       | Hart,                     | McCrary,      |
| Cauthen,                        | Harrison,                 | McGowan,      |
| Clarke,                         | Haynesworth,              | McQueen,      |
| Cordes,                         | Hearst,                   | Melton,       |
| Crosson,                        | Henderson,                | Memminger,    |
| Cunningham,                     | Herndon,                  | Metts,        |
| Dantzler,                       | Holston,                  | Middleton,    |

|                 |                    |                         |
|-----------------|--------------------|-------------------------|
| Messrs. Miller, | Messrs. Rowell,    | Messrs. Trimmier,       |
| Mitchell,       | Rumph,             | Tucker,                 |
| Mobley,         | Siegling,          | Wallace, A. S.,         |
| Mooney,         | Simons, T. Y., Jr. | Wallace, Wm.,           |
| Moragne,        | Simpson,           | Whaley, B. J.,          |
| Mullins,        | Spain,             | Whiting,                |
| Noble,          | Steele,            | Wilson, B. H.,          |
| Perry, B. F.,   | Sullivan,          | Wilson, John,           |
| Porcher,        | Thomson,           | Williams,               |
| Rebb,           | Thornwell,         | Wilkes, and             |
| Rice,           | Tillman,           | Withers <del>on</del> . |
| Richardson,     | Tobin,             |                         |

Those who voted in the negative are—

|                   |                   |                       |
|-------------------|-------------------|-----------------------|
| Messrs. Bailey,   | Messrs. McKenzie, | Messrs. Perry, J. B., |
| Bowers,           | Moorer,           | Randall,              |
| Bryan,            | Murray,           | Reed,                 |
| DeSaussure, W. D. | O'Bryan,          | Sanders,              |
| Felder,           | Peeples,          | Toomer,               |

The Bill was then ordered to be sent to the Senate.

On motion of Mr. KERSHAW, the House was adjourned at eight minutes past 4 o'clock, P. M.

## FRIDAY, DECEMBER 8, 1854.

At the hour to which the House was adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The SPEAKER laid before the House the Report of the Solicitor of the Middle Circuit on District Officers and Offices ;

Also, the Report of the Solicitor of the Eastern Circuit on District Officers and Offices ; which were severally referred to the Committee on District Officers and Offices.

The following message was received from the Senate :



IN THE SENATE, Dec. 7, 1854.

*Mr. Speaker and Gentlemen**of the House of Representatives:*

Senate respectfully informs your House that they have appointed Messrs. MOSES, BLAKELY and MCALILEY a Committee on the part of the Senate to examine the contingent accounts of his Excellency the Governor, and request your House to appoint a Committee to act jointly with the Committee of the Senate.

By order of Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. READ, a message was returned to the Senate, informing that body that a similar Committee had been appointed on the part of this House.

The Senate sent to this House the following Bills:

A Bill to re-charter the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia; which was read the first time, and referred to the Committee on Incorporations;

A Bill to regulate the sale and measurement of ranging timber in the city of Charleston; which was read the first time, and referred to the Committee on Agriculture;

A Bill to charter and incorporate the Yorkville Female Collegiate Institute at York Court House;

A Bill to extend the charter of the Sumterville Baptist Church;

A Bill to incorporate the Columbia Female College;

A Bill to incorporate the Society for the relief of indigent and superannuated Ministers of the Presbyterian Church, and their families;

A Bill to amend the charter of the Charlotte and South Carolina Railroad Company;

A Bill to revive and extend the charter of the Baptist Church of Bethel, for Claremont county; which were read the first time, and severally referred to the Committee on Incorporations.

The SPEAKER announced that Mr. C. G. Memminger was added to the Committee of Ways and Means.

The SPEAKER called for petitions, memorials, presentments of Grand Juries, and such like papers.

Mr. MIDDLETON presented the memorial of sundry residents of Kingston and Winyaw, praying for the establishment of a Board of Commissioners of Roads, and for a new road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. WAGNER presented the petition of sundry citizens of Christ Church Parish, praying permission to construct a new road in said Parish, and for a bridge across the Shew's Creek; which was referred to the same Committee.

Mr. WM. WALLACE presented the petition of the 23d Regiment, for a parade ground; which was referred to the Committee on the Military.

Mr. W. G. DESAUSSURE presented the petition of the Vestrymen and Wardens of Christ Church, Charleston, for incorporation; which was referred to the Committee on Incorporations;

Also, the memorial of sundry citizens of the Parishes of St. Philip's and St. Michael's, for the repeal of the Usury Laws; which was referred to the Committee of Ways and Means.

Mr. FELDER presented the petition of W. S. Rowe, praying compensation for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. FURMAN presented the return of the Commissioners of Free Schools for St. Thomas and St. Denis; which was referred to the Committee on Education.

Mr. TILLMAN presented the petition of the City Council of Augusta, praying a renewal of the Charter of their Bridge over the Savannah River, at Augusta; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. GRAHAM presented the account of W. L. Foss for a *post mortem* examination; which was referred to the Committee on Claims.

Mr. WILLIAMS presented the petition of certain members of the Board of Commissioners of Roads in York District, for the discontinuance of a public road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. NOBLE presented the petition of sundry citizens of the village of Ninety-Six, in Abbeville District, praying an Act of Incorporation; which was referred to the Committee on Incorporations;

Also, the counter petition of sundry citizens of the same village on the same subject; which was referred to the same Committee.

The SPEAKER then called for reports of Standing Committees in their order, and of Special Committees.

Mr. MIDDLETON presented the Report of the Committee of Ways and Means on memorial of Stockholders of Farmers' and Exchange Bank, praying amendment of their Charter; which was ordered for consideration to-morrow;

Also, the Report of the same Committee on the memorial of the Chamber of Commerce of Charleston, for the repeal of the Usury Laws; which was ordered for consideration to-morrow.

Mr. TUCKER presented the Report of the Committee on Incorporations on a Bill to Incorporate the Mount Ina Mining Company; which was ordered for consideration to-morrow;

Also, the Report of the same Committee on a Bill to amend the Charter

of the Charlotte and South Carolina Railroad Company; which was ordered for consideration to-morrow.

Mr. JONES presented the Report of the Committee on Claims on the petition of George W. Hambrich, praying compensation for feeding certain slaves convicted of larceny;

Also, the Report of the same Committee on the petition of Samuel Sox, praying compensation for burying dead body;

Also, the Report of the same Committee on petition of Williamson Riley, praying compensation for services as Constable;

Also, the Report of the same Committee on the petition of Barney O'Neill, for compensation for services as Constable; which were severally ordered for consideration to-morrow.

Mr. KING, from the Committee on Incorporations, to whom had been referred a Bill from the Senate to amend an Act, entitled "An Act to Incorporate the North-Eastern Railroad Company," made a Report; which was ordered for consideration to-morrow.

Mr. KING, from the same Committee, to whom had been referred sundry petitions of religious and charitable societies for the advancement of Education, made a Report, and reported a Bill; which was read the first time, and ordered to be read a second time to-morrow;

Also, from the same Committee, to whom had been referred the petition of certain societies, associations and companies, made a Report, and reported a Bill; which was read the first time, and ordered to be read a second time to-morrow;

Also, from the same Committee, to whom had been referred sundry petitions of certain towns and villages, made a Report, and reported a Bill; which was read the first time, and ordered to be read a second time to-morrow.

Mr. WILLIAMS, from the Committee on District Officers and Offices, to whom had been referred the Report of the Solicitor of the Eastern Circuit, made a Report and reported a Bill; which was read the first time and ordered to be read a second time to-morrow;

Also, the Report of the same Committee as to the expediency and necessity of appointing an additional Commissioner of Free Schools for Lexington District; which was ordered for consideration to-morrow.

Mr. WILLIAMS, from the same Committee, to whom had been referred the petition of sundry citizens of York for additional Boards of Commissioners of Roads, made a Report, and reported on a Bill; which was read the first time, and ordered to be read a second time to-morrow,

Mr. MITCHELL presented the Report of the Committee on the Judiciary, on a Bill to amend the Constitution in relation to the manner of voting in elections of officers chosen by both branches of the General Assembly; which was ordered for consideration to-morrow;

Also, the Report of the same Committee on a Bill to regulate appeals at law for Charleston District; which was ordered for consideration to-morrow.

Mr. HARRISON presented the Report of the Committee on Roads, Bridges, and Ferries, on the petition of the Western Board of Road Commissioners of Clarendon County; which was ordered for consideration to-morrow.

Mr. RICE presented the Report of the Committee on Roads, Bridges, and Ferries, on a Bill to supersede Lane Fences by erecting gates; which was ordered for consideration to-morrow.

Mr. SULLIVAN presented the Report of the Committee on Education on the memorial of Erskine College, praying aid from the State; which was ordered for consideration to-morrow.

Mr. DANTZLER presented the Report of the Committee on Vacant Offices; which was ordered for consideration to-morrow.

Mr. W. B. WILSON presented the report of the Judiciary Committee on so much of the presentment of the Grand Jury of Anderson as recommends the enactment of a law subjecting the prosecutor where "no bill" is found, to the costs of prosecution; which was ordered for consideration to-morrow.

Mr. HARRISON presented the report of the Committee on Roads, Bridges, and Ferries, on the petition and counter-petition of sundry citizens of York District, praying the opening of a public road from "Kills on the Quinn Road" to Yorkville; which was ordered for consideration to-morrow;

Also, the report of the same Committee on the petition and counter-petition of sundry citizens of Chester, praying for a public road; which was ordered for consideration to-morrow;

Also, the report of the same Committee on the petition praying a repeal of so much of the act of 1853, entitled, "An Act to establish certain Roads, Bridges, and Ferries, and to renew certain charters heretofore granted," as enacted that a public road be laid out in Sumter District; which was ordered for consideration to-morrow;

Also, the report of the same Committee on the petition and counter-petition of sundry citizens of York District, praying that a public road be opened from the York or Lansford Road to Rock Hill Depot; which was ordered for consideration to-morrow.

Mr. HARRISON, from the same Committee, to whom had been referred sundry petitions for establishing certain Roads, Bridges and Ferries, made a Report, and reported a Bill which was read the first time, and ordered to be read a second time to-morrow.

Mr. MULLINS presented the report of the Wilmington and Manchester Railroad Company for 1854; which was referred to the Committee of Ways and Means.

Mr. W. G. DESAUSSURE presented the Report of the Committee on

the Judiciary, on a Bill to arrange the State into Judicial Circuits, and to provide for the election of an additional Law Judge; which was ordered for consideration to-morrow;

Also, the Report of the same Committee on a Bill to provide for the creation of a new Judicial Circuit; for the election of an additional Law Judge, and for other purposes; which was ordered for consideration to-morrow.

The SPEAKER laid before the House the Report of the Attorney General on District Offices in Charleston District; which was referred to the Committee on District Officers and Offices;

Also, the Report of the Attorney General on the condition of the debt of Bernard E. Bee to the Ludlam School Fund; which was referred to the Committee on Education.

Mr. HEARST presented the Report of the Medical Committee on a Bill to amend an Act, entitled "An Act to provide for the compensation of physicians for *post mortem* examinations; which was ordered for consideration to-morrow;

Also, the Report of the same Committee on the account of Dr. J. R. McQuin, asking compensation for services rendered to prisoners; which was ordered for consideration to-morrow;

Also, the Report of the same Committee on the account of Dr. R. L. Hart, for *post mortem* examinations; which was ordered for consideration to-morrow.

Mr. THORNWELL presented the Report of the Committee on the Judiciary, on a Bill to Revise and Amend the Judiciary system; which was ordered for consideration to-morrow;

Also, the Report of the same Committee on a Bill to establish an additional Circuit Court in Charleston District; which was ordered for consideration to-morrow.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole, Mr. Memminger in the Chair, and proceeded to the consideration of

A Bill to alter and amend the tenth section of the first article of the Constitution of this State;

A Bill to provide for the election of Electors of President and Vice-President of the United States by the people of South Carolina;

A Bill to provide for the appointment of Electors of President and Vice-President of the United States by this State;

A Bill to give the election of President and Vice-President of the United States to the people; and

A Bill prescribing on the part of this State, the time, place, and manner of appointing Electors of a President and Vice-President of the United

States; which had been made the special order of the day for this day at 1 o'clock, P. M., and after some time spent in the discussion thereof, the SPEAKER resumed the Chair.

The following message was received from the Senate :

IN THE SENATE, December 8, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

The Senate respectfully proposes to your House to go into an election for Governor of the State, on Tuesday next at 1 o'clock, P. M., and immediately thereafter for Lieutenant-Governor.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. MIDDLETON, the message was ordered to *lie on the table.*

Mr. BOYLSTON presented the report of the Committee on the Judiciary, on a Bill to alter the law in relation to pleadings in the courts of law; which was ordered for consideration to-morrow.

Mr. CAUTHEN presented the report of the Medical Committee on the petition of sundry citizens of Barnwell and Edgefield Districts, praying that John Plunket be allowed to practice as a physician; which was ordered for consideration to-morrow.

Mr. CROSSON presented the report of the Committee on Privileges and Elections on the petition of sundry citizens of York District, for a change in the days of general elections; which was ordered for consideration to-morrow.

The SPEAKER called for resolutions, bills and motions.

Mr. MIDDLETON presented the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That the Committee on Public Printing be instructed to enquire as to the practicability of having the Journal of the House printed as usual, and that they be authorized to contract for the same until the Printer of this House can execute it.

Pursuant to notice, and by leave of the House, Mr. MIDDLETON introduced a Bill to unite the offices of Register of Mesne Conveyances and Clerk of the Court of Common Pleas and General Sessions for Georgetown District; which was read the first time and referred to the Committee on the Judiciary.

Pursuant to notice, and by leave of the House, Mr. BOYLSTON introduced a Bill to exempt Wyatt Coleman from the performance of ordinary militia duty; which was read the first time and referred to the Committee on the Military.

Pursuant to notice, and by leave of the House, Mr. BOYLSTON presented

a Bill to provide for the appointment of Electors of President and Vice-President of the United States; which was read the first time, ordered to be printed and made the special order of the day for Tuesday next at 1 o'clock, P. M.

Mr. TUCKER presented the following resolution, which was considered immediately and agreed to :

*Resolved*, That the Clerks of the Courts of Appeal of Columbia and Charleston, in conference with the Librarians, be instructed to effect a policy or policies of insurance on the Judicial Libraries in the name of the State, by catalogue or otherwise, so as to replace with convenience the books that may be lost by fire; and that they be authorized to draw upon the public treasury for the amount of the premium or premiums required, and that the said policy or policies be deposited with the Treasurers of the Upper and Lower Division respectively.

Pursuant to notice, and by leave of the House, Mr. PORCHER presented a Bill to repeal the eighth section of an Act, entitled "An Act to establish certain Roads, Bridges and Ferries," passed in the year of our Lord one thousand eight hundred and forty-nine; which was read the first time, and referred to the Committee on Roads, Bridges and Ferries.

Pursuant to notice, and by leave of the House, Mr. CLAWSON introduced a Bill to classify the lands in the Catawba Indian Boundary, situate in York and Lancaster Districts, and to tax them as other lands in said Districts, and for other purposes; which was read the first time, and referred to the Committee of Ways and Means.

Pursuant to notice, and by leave of the House, Mr. CUNNINGHAM introduced a Bill to admit Light Infantry and Rifle Corps into the Seventeenth Regiment of Infantry, and for other purposes; which was read the first time, and referred to the Committee on the Military.

Mr. CUNNINGHAM introduced the following Resolution, which was ordered for consideration to-morrow :

*Resolved*, That the people of South Carolina earnestly desire, and will cordially approve the acquisition of Cuba.

Mr. MEMMINGER presented the report of the Committee of the Whole House on sundry bills in relation to the appointment of Electors of President and Vice-President of the United States; which was considered immediately, and was agreed to.

On motion of Mr. READ, the House proceeded to the consideration of the

#### GENERAL ORDERS.

The House considered and agreed to the report of the Special Joint Committee appointed to make arrangements for religious services in the Hall of Representatives; and ordered to be sent to the Senate for concurrence.

The General Orders were suspended; and

Mr. SULLIVAN introduced the following Resolution, which was immediately considered, and was agreed to:

*Resolved*, That the use of this Hall be granted to Professor McCay, of the South Carolina College, on Monday evening next, for the purpose of delivering his Inaugural Address.

Mr. TOOMER gave notice that he will on Monday next ask leave to introduce a Bill to amend the Constitution of the State so far as to disqualify for seats in the General Assembly all persons who may be presidents or directors of any banking institution.

Pursuant to notice, and by leave of the House, Mr. HAMMOND introduced a Bill to regulate the Commissions of Escheator; which was read the first time, and referred to the Committee on the Judiciary:

Pursuant to notice, and by leave of the House, Mr. BLANDING introduced a Bill to alter the law of evidence in certain particulars; which was read the first time, and referred to the same Committee.

Mr. GREEN presented the Report of the Committee on Grievances on the petition of sundry citizens of Williamsburg; which was ordered for consideration to-morrow.

Mr. WILLIAMS, from the Committee on District Officers and Offices, to whom had been referred the petition of sundry citizens of Georgetown District, for a reduction in the amount of the Sheriff's bond, made a Report, and reported a Bill; which was read the first time, and ordered to be read a second time, to-morrow.

The Senate returned to this House an Act to alter the Constitution of this State, so as to divide Pendleton into two Election Districts; and the same was committed to the Committee on Engrossed Acts.

The General Orders were resumed.

The following Bills were read the second time, and ordered to be sent to the Senate:

A Bill to incorporate the South Carolina Saving and Building Association;

A Bill to incorporate the Spartanburg Female College;

A Bill to incorporate the Columbia Female College;

A Bill to extend the time allowed the Greenville and Columbia Railroad Company to open books of subscription to the capital stock of said Company.

The following message was received from His Excellency the Governor; which was ordered to lie on the table:

*Gentlemen of the Senate and House of Representatives:*

I beg leave to inform you that I have no further communication to make to your Honorable Bodies. My term of office being about to expire, I shall await your pleasure in the appointment of my successor.

JOHN L. MANNING.

EXECUTIVE DEPARTMENT, December 8, 1854.



On motion of Mr. B. F. PERRY, a message was sent to the Senate, proposing to that body to go into an Election for Governor, on Monday next, at half-past 12 o'clock, P. M.

The following Bill was read the second time and ordered to be sent to the Senate :

A Bill to incorporate the Elmwood Cemetery Company.

On motion, the general orders were suspended, and

Mr. CLARKE presented the petition of Nancy Bailey for arrearages of pension; which was referred to the Committee on Pensions.

Mr. WILLIAMS presented the petition of sundry citizens of Union and York Districts, to grant leave to H. H. Thomson to erect gates across the Howell's Ferry Road; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. CROSSON gave notice that he will to-morrow ask leave to introduce a Bill to extend the time of the Newberry and Chester Railroad to secure their charter.

On motion of Mr. READ, it was ordered that when this House adjourns, it shall be adjourned till to-morrow at half-past 11 o'clock, A. M.

On motion of Mr. TOOMER, the House was adjourned at five minutes past 4 o'clock, P. M.

## SATURDAY, DECEMBER 9, 1854.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following message was received from the Senate :

IN THE SENATE, December 8, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully concurs in the proposal of your House to go into an election for Governor of the State at half-past 12 o'clock, P. M., on Monday next, and immediately thereafter into an election for Lieutenant-Governor.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

The following Bills were received from the Senate :

A Bill to amend an Act, entitled "An Act to enlarge and extend the powers of the Governor and of City Council of Charleston over quarantine, and for other purposes," passed December 20, 1852; which was read the first time and referred to the Committee on the Judiciary.

A Bill to regulate the navigation of Horse Creek, in Edgefield District; which was read the first time and referred to the Committee on Internal Improvements;

- A Bill to authorize the formation of a volunteer battalion, to be attached to the Twenty-first Regiment, South Carolina Militia, and for other purposes; which was read the first time and referred to the Committee on the Military.

At 12 o'clock, M., the business of the House was suspended, and the Senate attended and united with this House in the religious services ordered for this day.

Mr. READ introduced the following resolution; which was considered immediately, was agreed to, and ordered to be sent to the Senate for concurrence:

*Resolved, unanimously,* That the thanks of this General Assembly be tendered to the Rev. Dr. THORNWELL, for his able and eloquent discourse pronounced before them this day, and that a copy thereof be requested of him for publication.

On motion of Mr. READ, it was ordered that when this House adjourns it shall be adjourned till Monday next at 12 o'clock, M.

On motion of Mr. READ, the House was adjourned at forty-five minutes after 1 o'clock, P. M.

MONDAY, DECEMBER 11, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The House resumed the consideration of papers from the Senate.

A Bill to promote the draining and improvement of Inland Swamps, was read the first time and referred to the Committee on Internal Improvements;

A Bill to reduce the official bond of the Sheriff of Georgetown, was read the first time and referred to the Committee on District Officers and Offices;

A Bill to alter the times of holding the Courts of Equity for the second Circuit, was read the first time and referred to the Committee on the Judiciary;

A Bill to alter the law in relation to the duties of Ordinaries in taking administration bonds, was read the first time and referred to the same Committee;

A Bill to punish assaults committed with concealed weapons, was read the first time and referred to the same Committee.

The Senate returned to this House with their concurrence, the

Report of the Committee on Education, on so much of the Message No. 2, of his Excellency the Governor, as relates to the College Commencement;

Also, the report of the Special Joint Committee to make arrangements for religious services in the Hall of the House of Representatives on the 9th December.

The Senate also sent to this House the report of the Committee on Claims and Grievances on the account of McCarter, Allen & Co. for books furnished the State; which was referred to the Committee on Claims;

Also, a resolution appropriating two hundred dollars for the transient post of Beaufort; which was referred to the Committee of Ways and Means;

Also, the report of the Committee on Claims and Grievances on the account of the Charleston Mercury for printing done for the State; which was referred to the Committee on Claims.

Also, the report of the same Committee on the account of W. W. Purse for work done in the Senate Chamber; which was referred to the same Committee.

The SPEAKER laid before the House the report of the Commissioner of the Deaf and Dumb for the Upper Division; which was referred to the Committee on Education;

Also, the report of the Solicitor of the Northern Circuit on District Officers and Offices; which was referred to the Committee on District Officers and Offices.

The Senate sent to this House a resolution for insuring the Libraries of the Appeal Court, which, on motion of Mr. MCGOWAN was considered immediately and agreed to, and ordered to be returned to the Senate.

The SPEAKER called for petitions, memorials, and such like papers of a public nature, and

Mr. POPE presented the return of the Commissioners of Free Schools for St. Helena, for the year 1854; which was referred to the Committee on Education.

Mr. RUMPH presented the petition of sundry citizens of Orange Parish praying a change of an election poll; which was referred to the Committee on Privileges and Elections.

Mr. HAMPTON presented the petition of sundry citizens of Columbia asking the appointment of an additional Magistrate; which was referred to the Committee on District Officers and Offices.

Mr. McKNIGHT asked and obtained leave to withdraw from the files of the House, the account of A. W. Dosier.

Mr. MCGOWAN asked and obtained leave to withdraw from the files of the House the account of Larkin Barmore for slaves executed.

The Senate then attended and joined the House in a ballot for Governor.

The following message was received from the Senate :

IN THE SENATE, December 11, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully asks leave of your House to amend the following resolution sent from your House to the Senate : "*Resolved, unanimously, That the thanks of the General Assembly be tendered to the Rev. Dr. Thornwell, for his able and eloquent discourse pronounced before them this day, and that a copy thereof be requested of him for publication,*" by inserting the following amendment : "*And that a Joint Committee of the two Houses be appointed for the purpose of carrying into effect this resolution.*"

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. READ, the amendment from the Senate was concurred in.

The SPEAKER then called for Reports of Standing Committees and of Special Committees.

Mr. MIDDLETON presented the Reports of the Committee of Ways and Means

On a Bill to amend the charter of the Farmers' and Exchange Bank of Charleston ;

On a Bill to regulate the commissions of Tax Collectors ;

Also, the Report of the same Committee on the Report of the Senate Committee on Finance and Banks on the petition of Dr. P. Pritchard, to be refunded the amount of a double tax execution ;

Also, the Report of the same Committee on the Annual Report of the King's Mountain Railroad Company as to condition and means ;

Also, the Report of the same Committee on memorial of sundry citizens of St. Philip's and St. Michael's, praying for repeal of the usury laws ;

Also, the Report of the same Committee on the petition of citizens of Fairfield District, praying for increase of the capital of the Bank of the State of South Carolina ; which were severally ordered for consideration to-morrow.

The Senate then attended and joined this House in a ballot for Lieutenant-Governor.

Mr. MCGOWAN presented the Reports of the Committee on the Military

On a Bill from the Senate to authorize the formation of a Volunteer Battalion to be attached to the Twenty-third Regiment South Carolina Militia, and for other purposes ;

Also, the Report of the same Committee on a Bill to admit Light Infantry and Rifle Corps into the Seventeenth Regiment of Infantry, and for other purposes ;

Also, a Report of the same Committee on a Bill to exempt Ministers of the Gospel from the performance of patrol duty ;

Also, the Report of the same Committee on a Bill to abolish Battalion Musters, to reduce the number of Company Musters, and to regulate the trial of defaulters at Company Musters ;

Also, the report of the same Committee on a Bill to exempt Wyatt Coleman from the performance of ordinary militia duty ;

Also, the Report of the same Committee on the petition of sundry citizens of Union District, praying the exemption of ministers of the Gospel and certain other persons from the performance of patrol duty ;

Also, the Report of the same Committee on resolutions of inquiry as to the expediency of altering the law as to the time of holding militia musters ;

Also, the Report of the same Committee on the memorial of Rev. Thomas R. English, praying that clergymen may be exempted from patrol duty ; which were severally ordered for consideration to-morrow.

Mr. PERRY presented the Report of the Committee on Internal Improvements on a Bill to allow the Town Council of Columbia to use the water from the Columbia Canal, and for other purposes ;

Also, the Report of the same Committee on the petition of sundry citizens of Barnwell District, praying that the balance of the appropriation made for clearing out the Saltketcher River be paid over to the Commissioners to be appointed for that purpose ; which were severally ordered for consideration to-morrow.

Mr. PERRY, from the same Committee, to whom had been referred the petition of sundry citizens of Kingston Parish for a charter of incorporation, made a Report, and reported a Bill ; which was read the first time, and ordered to be read the second time to-morrow.

Also, the Report of the same Committee on the petition of sundry citizens of St. Stephen's Parish, and St. John's, Berkeley, praying permission to sell or dispose of the Glebe land, for purposes mentioned therein ; which was ordered for consideration to-morrow.

On motion of Mr. PERRY, the Committee on Internal Improvements were discharged from the further consideration of the petition of sundry citizens of Edgefield District, praying the Legislature to pass an Act for the repeal of so much of the third clause of an Act, entitled " An Act to declare

a certain description of streams navigable, and for other purposes," as relates to Horse Creek, in Edgefield District, and to declare the same a public highway; and the same was ordered *to lie on the table*.

Mr. M. J. KIRK, from the Committee appointed to count the votes for Governor, reported that General JAMES H. ADAMS had received a majority of the votes cast, and was consequently elected; whereupon the SPEAKER announced that JAMES H. ADAMS was duly elected Governor of the State of South Carolina.

Mr. TUCKER presented the Report of the Committee on Incorporations on a Bill from the Senate to incorporate the Yorkville Female Collegiate Institute;

Also, the Report of the same Committee on a Bill from the Senate to incorporate the Columbia Female College;

Also, the Report of the same Committee on a Bill from the Senate to extend the Charter of the Sumterville Baptist Church;

Also, the Report of the same Committee on a Bill from the Senate to amend the Charter of the Charlotte and South Carolina Railroad Company;

Also, the Report of the same Committee on a Bill from the Senate to incorporate the Society for the Relief of Indigent and Superannuated Ministers of the Presbyterian Church, and their families;

Also, the Report of the same Committee on a Bill from the Senate to re-charter the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia;

Also, the Report of the same Committee on a Bill from the Senate to revive and extend the charter of the Baptist Church of Bethel for Claremont County;

Also, the Report of the same Committee on the petition of the Vestrymen and Wardens of Christ Church, Charleston;

Also, the Report of the same Committee on the petition and counter petition, for and against, the incorporation of the village of Ninety-Six; which were severally ordered for consideration to-morrow.

Mr. RICHARDSON submitted the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That a Committee of Three be appointed, on the part of this House, to wait upon the Governor elect, and inquire when it will suit his convenience to be inaugurated.

The SPEAKER appointed the following Committee: Messrs. RICHARDSON, SPAIN and METTS.

Mr. JONES, from the Committee on Claims, made reports

On the account of R. W. Gibbes & Co.;

On the account of Andrew Paul;

On the account of R. E. Ellison;

On the account of the Charleston Courier;  
On the account of B. V. Posey;  
On the account of E. A. Brenson;  
On the claim of Dr. T. J. Rawls;  
On the claim of Dr. W. L. Foss;  
On the petition of W. S. Rowe;  
On the account of Dr. J. H. Mellichamp, and on the Report of Senate's Committee thereon;

On the account of Dr. T. J. K. and T. A. Dargan, and on the Report of the Senate's Committee thereon; which were severally ordered for consideration to-morrow.

Mr. BRYCE presented the Report of the same Committee  
On the petition of John G. White;  
On the petition of M. C. Hughes;  
On the account of Thomas J. Lamotte; which were severally ordered for consideration to-morrow.

Mr. THOMSON, from the same Committee, made reports  
On the account of Izan J. Rice;  
On the account of James M. Hunter;  
On the account of Benjamin Perry;  
On the account of Robert M. Thompson; which were severally ordered for consideration to-morrow.

Mr. DUNCAN presented the Report of the Committee on Agriculture on a Bill from the Senate, to amend an Act to provide for the inspection of flour in certain particulars;

Also, the Report of the same Committee on a Bill to regulate the sale and measurement of timber in the city of Charleston; which were severally ordered for consideration to-morrow.

Mr. HAMMOND presented the Reports of the Committee on Claims:  
On the account of Dr. W. M. Davis;  
On the account of John L. Dawson;  
On the account of Dr. H. W. DeSaussure;  
On the account of Dr. John L. Dawson; which were severally ordered for consideration to-morrow.

Mr. MITCHELL presented the report of the Committee on the Judiciary on a Bill to allow further time for the holding of the Courts of Equity for Williamsburg District;

Also, the report of the same Committee on a Bill to provide for the revival of the criminal code and the establishment of a penitentiary;

Also, the report of the same Committee on a resolution referred to that Committee to enquire and report as to the expediency of amending the law

and punishing the offence of trading with slaves with whipping; which were severally ordered for consideration to-morrow.

Mr. MITCHELL, from the same Committee, to whom had been referred the petition of sundry citizens of Clarendon praying to be separated from the judicial District of Sumter, made a report and reported a Bill to establish Clarendon county into a separate judicial District; which was read the first time and ordered to be read a second time to-morrow.

### SPECIAL ORDER.

The House then resolved itself into a Committee of the Whole House, Mr. McGowan in the Chair, and resumed the consideration of a Bill to reorganize the Common School System; which had been made the Special Order of the day for this day at 1 o'clock, P. M., in the Committee of the Whole House; and after some time spent in the discussion thereof the SPEAKER resumed the Chair.

On motion, the Committee on the Judiciary were discharged from the farther consideration of the memorial of Palmetto Lodge, No. 5, I. O. O. F., of Columbia, S. C., also from the further consideration of a Bill to vest in Palmetto Lodge, No. 5, I. O. O. F. of Columbia, the title to a certain lot of ground in said town heretofore granted, and for other purposes, and the same were referred to the Committee on Education.

The Committee on the Judiciary were also discharged from the further consideration of the petition of the Upper Board of Commissioners of St. George's Parish praying an amendment of the road law; and the same was referred to the Committee on Roads, Bridges and Ferries.

Mr. RICHARDSON, from the Committee appointed to wait upon the Governor elect and inquire when it would suit his convenience to be inaugurated, reported that they had discharged that duty, and that the Governor elect will be prepared on Wednesday next, at 1 o'clock, P. M., to qualify under the Constitution.

Mr. LOWRY, from the Committee appointed to count the votes for Lieutenant-Governor, reported that Hon. R. DETREVILLE had received a majority of the votes cast, and was consequently elected; whereupon the SPEAKER announced that Hon. R. DETREVILLE was duly elected Lieutenant-Governor of South Carolina.

Mr. CROSSON moved, that when this House adjourns, it shall be adjourned till to-morrow, at 12 o'clock, M.

On motion of Mr. RICHARDSON, it was

*Resolved*, That a Committee of Three be appointed on the part of this House, to make all necessary arrangements for the inauguration of the Governor elect, and that a message be sent to the Senate, asking the appointment of a similar Committee on the part of that body for the same purpose.



Whereupon the SPEAKER appointed Messrs. RICHARDSON, MORAGNE and W. D. DESAUSURE.

Mr. MITCHELL asked and obtained leave to be excused from serving on the Committee appointed to nominate Directors of the Bank of the State of South Carolina.

Whereupon the SPEAKER announced that H. C. King was added to said Committee.

The SPEAKER called for Resolutions, Bills and Motions.

Mr. BOYLSTON offered the following Resolution, which was ordered for consideration to-morrow :

*Resolved*, That on and after to-morrow, this House will take a recess daily from 4 P. M. to 7 P. M.

Mr. POPE offered the following Resolution, which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee on the Judiciary to enquire into the propriety of having a new edition of the Acts of 1839, 1840, and 1842 published at the expense of this State, in order to satisfy the general demand for the same.

Mr. W. B. WILSON presented the report of the Committee on the Judiciary on a Bill to amend the law in relation to attesting wills ; which was ordered for consideration to-morrow.

On motion of Mr. CROSSON, the House was adjourned at forty-five minutes past 4 o'clock, P. M.

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TUESDAY, DECEMBER 12, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate returned to this House with their concurrence,

A Resolution in relation to the Address of Rev. Dr. Thornwell, before the General Assembly, which was considered immediately and agreed to as amended by the Senate.

Mr. READ presented the following resolution, which was considered immediately and agreed to :

*Resolved*, That a Committee of three be appointed on the part of this House for the purpose of carrying into effect the joint resolution of the Senate and House on the matter of the publication of Dr. Thornwell's Discourse and

that a message be sent to the Senate asking the appointment of a similar Committee on the part of that body to act with the House Committee.

Whereupon the SPEAKER announced the following Committee: Messrs. READ, TUCKER and SULLIVAN.

The following message was received from the Senate :

IN THE SENATE, December 12, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully concurs in the request of your House to appoint a Committee on the part of the Senate to act jointly with the Committee of your House in making suitable arrangements for the inauguration of his Excellency the Governor elect, and have appointed Messrs. CARN and BLAKENEY a Committee on the part of the Senate.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

The Senate also sent to this House for their concurrence a resolution for employment of a Clerk to compile the Free School Returns ; which was referred to the Committee on Education.

Also, the report of the Committee on the Judiciary on memorial of R. L. Bryan, for a subscription for forty copies of DeSaussure's Equity Reports ; which was referred to the Committee on the Judiciary.

The Senate also sent to this House the following Bills, which were read the first time :

A Bill to amend an Act entitled " An Act to carry into operation the Lunatic Asylum," was referred to the Committee on the Lunatic Asylum ;

A Bill to incorporate the Charleston Water Company in the City of Charleston, State of South Carolina, was referred to the Committee on Incorporations ;

A Bill to extend to Judges at Chambers, the power of appointing Commissioners to value lands required for Railroads, was referred to the Committee on the Judiciary ;

A Bill to incorporate the South Carolina Saving and Building Association, was referred to the Committee on Incorporations ;

A Bill to authorize the United States to purchase certain parcels of land in this State for the erection of Light Houses and Beacon Lights, was referred to the Committee on Federal Relations.

The SPEAKER called for petitions not of a private nature, memorials, presentments of grand juries, and such like papers.

Mr. HARRISON presented the petition of John A. Wagener, President of the German Society, praying an Act of Incorporation for the town of

Walhalla in Pickens District; which was referred to the Committee on Incorporations.

The following message was received from the Senate :

IN THE SENATE, December 12, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

The Senate respectfully concurs in the request of your House to appoint a Committee on the part of the Senate to act jointly with the Committee of the House, for the purpose of carrying into effect the joint resolutions of the Senate and House on the matter of the publication of Dr. Thornwell's discourse, and have appointed Messrs. WITHERSPOON, BARKER, and ZIMMERMAN a Committee on the part of the Senate.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. MCGOWAN presented the report of the Committee of the Whole House, to whom had been referred a Bill for the re-organization and improvement of the Common School System of South Carolina.

On motion of Mr. MCGOWAN, the report was considered immediately.

Mr. TUCKER moved to lay the report on the table; and the question being put, Will the House agree thereto? it was decided in the affirmative.

Yeas, 53—Nays, 41.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                   |              |               |
|-------------------|--------------|---------------|
| Messrs. Blanding, | Hammond,     | McGowan,      |
| Bowers,           | Hampton,     | McKensie,     |
| Bryce,            | Hart,        | McKnight,     |
| Campbell,         | Harrington,  | McQueen,      |
| Clarke,           | Harrison,    | Melton,       |
| Clawson,          | Haynesworth, | Miller,       |
| Crosson,          | Hearst,      | Mooney,       |
| Cunningham,       | Herndon,     | Meragne,      |
| Dorn,             | Horlbeck,    | Mullins,      |
| Duncan,           | Jones,       | Noble,        |
| Ellis,            | Kilgore,     | Peeples,      |
| Epps,             | King,        | Perry, J. B., |
| Gill,             | Lowry,       | Randall,      |
| Green,            | McBee,       | Rebb,         |

Rice,  
Sanders,  
Siegling,  
Spain,

Tillman,  
Trimmier,  
Tucker,  
Wallace, A. S.,

Wilson, W. B.,  
Williams,  
Witherspoon,

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker, and

Messrs. Ambler,  
Anderson,  
Beatty,  
Boykin,  
Bryan,  
Bush,  
Cauthen,  
DeSaussure, W. G.  
Felder,  
Fox,  
Graham,  
Grisham,  
Henderson,  
Holston,  
Hope,

Irby,  
Johnson,  
Kershaw,  
Landrum,  
Middleton,  
Mitchell,  
Mobley,  
Munro,  
Moorer,  
Murray,  
O'Bryan,  
Pope,  
Porcher,  
Read,  
Richardson,

Bowell,  
Rumph,  
Simons, T. Y. Jr.  
Simpson,  
Steele,  
Thomson,  
Thornwell,  
Tobin,  
Trotti,  
Toomer,  
Whaley, B. J.,  
Whaley, J. C.,  
Wilson, John.

A Bill for the re-organization and improvement of the Common School System of South Carolina was then taken up for a second reading.

Mr. HAMMOND moved that the Bill be ordered *to lie on the table*; and the question being put, Will the House agree thereto? it was decided in the negative.

The yeas and nays were called for, and are as follows:

Yeas, 47—Nays, 55.

Those who voted in the affirmative are

Messrs. Ambler,  
Anderson,  
Bailey,  
Bowers,  
Boykin,  
Boynton,  
Bryan,  
Bush,  
Cauthen,

Cordes,  
DeSaussure, W. G.  
Dorn,  
Felder,  
Fox,  
Gil,  
Graham,  
Grisham,  
Hammond,

Holston,  
Hope,  
Irby,  
Johnson,  
King,  
Kirk, P. C.  
Landrum,  
Lewis,  
Mitchell,

|             |                   |               |
|-------------|-------------------|---------------|
| Mobley,     | Rowell,           | Tobin,        |
| Munro,      | Rumph,            | Trotti,       |
| Moorer,     | Siegling,         | Whaley, B. J. |
| Murray,     | Simons, T. Y. Jr. | Whaley, J. C. |
| Pope,       | Steele,           | Wilson, John  |
| Read,       | Thomson,          | Witherspoon.  |
| Richardson, | Thornwell,        |               |

Those who voted in the negative are

|                                 |             |                 |
|---------------------------------|-------------|-----------------|
| Hon. JAMES SIMONS, Speaker; and |             |                 |
| Messrs. Blanding,               | Jones,      | Peeples,        |
| Bryce,                          | Kershaw,    | Perry, J. B.    |
| Campbell,                       | Kilgore,    | Porcher,        |
| Clawson,                        | Kirk, M. J. | Randall,        |
| Crosson,                        | Lowry,      | Rebb,           |
| Cunningham,                     | McBee,      | Sanders,        |
| Duncan,                         | McCrary,    | Simpson,        |
| Ellis,                          | McGowan,    | Spain,          |
| Epps,                           | McKensie,   | Tillman,        |
| Green,                          | McKnight,   | Toomer,         |
| Hampton,                        | McQueen,    | Trimmier,       |
| Hart,                           | Melton,     | Tucker,         |
| Harrington,                     | Middleton,  | Wallace, A. S., |
| Harrison,                       | Miller,     | Wallace, Wm.,   |
| Haynesworth,                    | Mooney,     | Whiting,        |
| Hearst,                         | Moragne,    | Wilson, W. B.,  |
| Henderson,                      | Mullins,    | Williams,       |
| Herndon,                        | Noble,      | Wilkes.         |

On motion of Mr. MIDDLETON, the first, second, and third sections of the Bill were ordered to be stricken out, and the following amendments were inserted :

"That the appropriation for the support of free schools be as heretofore, at the rate of six hundred dollars for each member of the House of Representatives, to be distributed as heretofore among the election districts.

"2. That the Commissioners of Free Schools, each Board within its own election District, shall have full power and authority to assess the tax payers to the extent of twenty-five per cent. upon the general tax, for the purpose of establishing, building, and maintaining schools, school houses, and competent teachers, at such places and for such periods as to them may seem suitable and meet, for the purpose of diffusing the advantages of elementary education. And that the said Boards of Commissioners may, (as the convenience

of the people may demand) divide their districts into school sections or precincts, and appoint a trustee or trustees for each school, which trustees shall be accountable to the board appointing them, and be removeable thereby.

"3. That whenever any Board of Commissioners shall have levied any assessment upon its district for the purpose of carrying into effect the objects of this Act, and shall have produced satisfactory evidence to the Comptroller General of the sum arising from such their assessment, it shall be his duty, and he is hereby authorized and required to pay over to the said Board of Commissioners a like amount out of the Treasury.

"4. That each member of the Boards of Commissioners of Free Schools, and each trustee of a school, who shall refuse to serve or neglect his appropriate duties as commissioner or trustee, shall be liable to a penalty of fifty dollars, to be recovered by action of debt to the use of the free schools of the district in which such refusal or neglect shall occur.

"5. That each Board of Commissioners of Free Schools shall appoint a Secretary and Treasurer, whose duty it shall be to keep a true and full account of all transactions of the Board, and also of the receipts and disbursements of the school fund. And previously to his entering upon the discharge of his duties, he shall give the Board a bond to the State in a penal sum not to exceed twice the amount of the school fund of the district, conditioned for the faithful performance of his duties. And said Secretary and Treasurer shall be entitled to receive not more than five per cent. for the amount of his receipts and disbursements, and shall at any time be removable by the Board.

"6. That the respective Boards of Commissioners of Free Schools shall, at Fall Term of the Court of Common Pleas for the district, make an annual report to the said Court and to the General Assembly, in which shall be set forth a full and detailed statement of all their transactions during the preceding year. And if any Board shall refuse or neglect to make such return, each member of a Board so in default shall be liable to a penalty of fifty dollars, to be recovered by action of debt, one moiety to be appropriated to the use of the free school fund of the district, and the other to go to the informer."

Mr. SPAIN called for the Special Order; and,

On motion of Mr. SPAIN, it was ordered that the same be discharged, and made the Special Order of the day for the second Tuesday after the fourth Monday in November next, at 2 o'clock, P. M.

The House resumed the consideration of the Bill.

On motion of Mr. TUCKER, the fourth, fifth, sixth, seventh, eighth, ninth, twelfth, thirteenth, fourteenth, fifteenth, seventeenth, eighteenth and nineteenth sections of the bill were stricken out.

On motion of Mr. TUCKER, the title of the bill was amended so as to

read as follows : A Bill to improve the Free School System of South Carolina ; and the bill was ordered to be sent to the Senate.

Mr. RICE, from the Committee appointed to nominate a President and Directors of the Bank of the State of South Carolina, made a Report ; which was ordered to lie on the table, and to be printed.

Mr. READ presented the Report of the joint Committee from the Senate and House to examine the accounts of the Governor ; which was ordered for consideration to-morrow.

The SPEAKER called for Reports of Standing Committees and of Special Committees.

Mr. MIDDLETON presented the Report of the Committee of Ways and Means, on the Report of Senate's Committee on Finance and Banks, on the account of the Town Council of Beaufort of amount paid transient poor for 1854 ;

Also, the Report of the same Committee on the Report of the President and Directors of the Cheraw and Darlington Railroad Company as to condition and means ;

Also, the Report of the same Committee on the Report of the Commissioners of the Poor for Georgetown District as to transient poor ;

Also, the Report of the same Committee on the presentment of the Grand Jury of Anderson, advising establishment of Poll tax ; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, stated that a Bill to authorize aid to the Blue Ridge Railroad in South Carolina, reported by said Committee, had been lost or destroyed in the late conflagration ; and on motion of Mr. MIDDLETON, leave was granted to substitute a copy for the same.

Mr. BRYCE presented the Report of the Committee on Claims on the account of Dr. J. S. Crane for *post mortem* examinations ; which was ordered for consideration to-morrow.

Mr. MCGOWAN presented the Report of the Military Committee on the Report of the Board of Visitors of the State Military Academies for 1854 ;

Also, the Report of the same Committee on so much of the Governor's Message as relates to the Militia, and the Report of the Adjutant and Inspector General ; which were severally ordered for consideration to-morrow.

Mr. JONES presented the Report of the Committee on Claims

On the petition of Mrs. E. S. Dunlap, praying compensation for damages sustained by opening a public road ;

On the petition of James Fant, for damages sustained by opening a public road ; which were severally ordered for consideration to-morrow.

Mr. THORNWELL presented the Report of the Committee on the Judiciary on the propriety of establishing a separate Court of Appeals ; and

Mr. MITCHELL, presented the Report of the minority of the same Committee, on the same subject, and reported a Bill, which was read the first time, and the Reports of the majority and minority, together with the Bill, were made the Special Order of the day for Friday evening next, at 7 o'clock, P. M. Ordered to be printed.

Mr. HAMMOND presented the account of J. D. Hail, Sheriff of Lancaster District ; which was referred to the Committee on Claims.

Mr. A. S. WALLACE presented the Report of the Committee on Pensions on the petition of Levin Stewart, for arrears of pension ;

Also, the Report of the same Committee on the claim of Nancy Farmer, praying to be placed on the Pension Roll ;

Also, the Report of the same Committee on the petition of Elizabeth Porcher and Sarah Holleyman, for arrears of pension ; which were severally ordered for consideration to-morrow.

Mr. WILLIAMS presented the Report of the Committee on District Officers and Offices, on a Bill to provide for the appointment of Commissioners of the Poor in certain cases ;

Also, the Report of the same Committee on the petition of sundry citizens of Pickens District, for the appointment of a Magistrate ;

Also, the Report of the same Committee on the petition of sundry citizens of Newberry District, for the appointment of a Magistrate ;

Also, the Report of the same Committee on the petition of sundry citizens of Greenville District, for an additional Magistrate ;

Also, the Report of the same Committee on petition of sundry citizens of Williamsburg District, for an additional Magistrate ; which were severally ordered for consideration to-morrow.

On motion of Mr. BOYLSTON, it was

*Ordered*, That when this House adjourns, it shall be adjourned till eleven o'clock, A. M., to-morrow.

On motion of Mr. BOYLSTON, the House proceeded to the consideration of the

#### GENERAL ORDERS.

No. 269, being a Resolution as to Recess, was taken up out of its order, and agreed to, and ordered to be printed.

The General Orders were suspended, and

Mr. MIDDLETON presented the memorial of sundry owners of real property in Charleston, against authorizing the City Council to subscribe to the stock of Railroads, and against confirming subscriptions already made ; which was referred to the Committee on Incorporations.

Mr. W. G. DESAUSURE presented the Report of the Committee on the Judiciary, on a Bill from the Senate to alter the law in relation to the



duties of Ordinaries in taking administration bonds; which was ordered for consideration to-morrow.

Mr. DUNCAN presented the Report of the Committee on Agriculture, on a Bill from the Senate to regulate the sale and measurement of ranging timber in Charleston; which was ordered for consideration to-morrow.

Mr. EPPS gave notice that to-morrow he will move to suspend the seventy-fourth rule of this House for the remainder of the session.

Mr. BOYLSTON presented the Report of the Committee on the Judiciary, on a Bill to regulate in certain particulars the practice of the Courts in the trial of actions of trespass to try title, and of *quare clausum fregit*; which was ordered for consideration to-morrow.

Mr. B. H. WILSON presented the Report of the same Committee, on a Bill to provide compensation for witnesses in criminal causes in the Courts of General Sessions, and for other purposes;

Also, the Report of the same Committee, on a Bill to unite the offices of Register of Meane Conveyance and Clerk of the Court of Common Pleas and General Sessions for Georgetown District; which were severally ordered for consideration to-morrow.

Mr. FELDER presented the Report of the Committee on Claims, on the account of James M. Collier, Jailor of Kershaw District; which was ordered for consideration to-morrow.

Mr. MITCHELL presented the Report of the Committee on the Judiciary on a Bill to alter the law of evidence in certain particulars;

Also, the Report of the same Committee, on a Bill from the Senate to amend an Act to enlarge and extend the power of the Governor and of the City Council of Charleston over Quarantine, and for other purposes; which were severally ordered for consideration to-morrow.

Mr. THOMSON, from the Committee on Claims, made Reports

On the account of Gilbert & Fraser;

On the account of O. Richardson;

On the account of Abner Leggett;

On the petition of James Mulliken;

On the account of Lewis & Richardson; which were severally ordered for consideration to-morrow.

On motion of Mr. CROSSON, the House was adjourned at 27 minutes past 4 o'clock, P. M.

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WEDNESDAY, DECEMBER 13, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the journal of yesterday's proceedings was read.

The Senate sent to this House the following Bills, which were read the first time :

A Bill to provide for the better administration of justice in the City Court of Charleston, was referred to the Committee on the Judiciary ;

A Bill to allow the Town Council of Columbia to use the water from the Columbia Canal, and for other purposes, was referred to the Committee on Internal Improvements ;

A Bill to alter and amend the Constitution of this State in regard to the election of Senators and Representatives to the General Assembly, was referred to the Committee on Privileges and Elections.

The SPEAKER called for petitions, memorials, presentments of grand juries, and such like papers.

The SPEAKER called for reports of Standing Committees and Special Committees.

Mr. READ presented the Report of the Special Joint Committee to whom was entrusted the duty of carrying out certain resolutions in reference to Dr. Thornwell's Discourse ; which was considered immediately and was agreed to ;

Also, the Report of the Committee on Colored Population on the presentment of the Grand Jury of Williamsburg District in reference to the Slave trade ; which was ordered for consideration to-morrow.

Mr. THOMSON presented the Reports of the Committee on Claims

On the account of James V. Hagood ;

On the petition of W. J. Graham ; which were severally ordered for consideration to-morrow.

Mr. BRYCE presented the Report of the same Committee on the account of Dr. A. N. Talley ; which was ordered for consideration to-morrow.

Mr. THORNWELL presented the Report of the Judiciary Committee on the petition of Dr. Theodore Gaillard, and others ; which was ordered for consideration to-morrow.

Mr. MIDDLETON, from the Committee of Ways and Means made Reports

On a resolution as to compensation of Judges of Superior Courts of Law and Equity ;

On petition of Insurance Companies for change of mode of assessment on them and for refunding tax ; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, made a Report and reported a Bill to raise supplies for the year commencing in October one thousand eight hundred and fifty-four ; which was read the first time and ordered to be read a second time to-morrow ;

Also, a Bill to make appropriations for the year commencing in October, one thousand eight hundred and fifty-four ; which was read the first time and ordered to be read a second time to-morrow.

Mr. CUNNINGHAM presented the Report of the Committee on Privileges and Elections on a Bill from the Senate to alter and amend the Constitution of this State in regard to the election of Senators and Representatives to the General Assembly; which was ordered for consideration to-morrow.

Mr. TUCKER presented the Report of the Committee on Incorporations On a Bill from the Senate to incorporate the South Carolina Saving and Building Association;

Also, the Report of the same Committee on a Bill from the Senate to incorporate the Charleston Water Company, in Charleston, South Carolina; which were severally ordered for consideration to-morrow.

Mr. WILLIAMS presented the Report of the Committee of District Officers and Offices on the petition of sundry citizens of Fairfield District for restrictions upon the taxing power of Commissioners of Roads;

Also, the Report of the same Committee on a Bill to reduce the official bond of the Sheriff of Georgetown; which were severally ordered for consideration to-morrow.

On motion of Mr. HAMMOND, the House proceeded to the consideration of the

#### GENERAL ORDERS.

A resolution as to adjournment of the General Assembly, was taken up out of its order, and, on motion of Mr. RICE, was ordered *to lie on the table*.

On motion of Mr. RICE, a resolution from the Senate fixing Wednesday 20th December, as the day for adjournment of the General Assembly, was taken up out of its order.

Mr. HAMPTON moved to lay the resolution on the table.

Messrs. Hampton and Harrison were appointed tellers, and reported Ayes 40, Nays 53.

So the House refused to lay the resolution on the table.

Mr. THOMSON moved to strike out the twentieth, and insert the twenty-first instant; which was agreed to, and a message accordingly sent to the Senate.

The General Orders were suspended,

And Mr. BRYCE, from the Committee on District Officers and Offices, made a Report, and reported a Bill to allow an additional Magistrate to the town of Columbia; which was read the first time, and ordered to be read a second time to-morrow.

Mr. W. B. WILSON presented the Report of the Committee on the Judiciary on a Bill to amend the law in relation to giving in evidence office copies of deeds; which were ordered for consideration to-morrow.

Mr. MULLINS presented the Report of the Committee on Public Buildings on the presentment of the Grand Jury of Charleston District, with regard to addition to the Court House of said District;

Also, the Report of the same Committee on the memorial of Commissioners of Public Buildings for Williamsburg, praying an additional appropriation for Court House ; which were severally ordered for consideration to-morrow.

The SPEAKER called for resolutions, bills and motions.

On motion of Mr. RICHARDSON, it was ordered that a message be sent to the Senate, inviting that body to attend, at 1 o'clock, P. M., the inauguration of the Governor this day, in the hall of the House of Representatives.

Mr. SPAIN offered the following Resolution ; which was considered immediately, and was agreed to :

*Resolved*, That it be referred to the Committee of Ways and Means to inquire as to the propriety of increasing the *per diem* allowance to members of the General Assembly, and that said Committee have leave to report by Bill or otherwise.

Mr. HOPE offered the following Resolution ; which was considered immediately, was agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the Secretary of State be authorized to have the conveyances and plats of land bought by the State from individuals and corporations recorded in the office under his charge.

Pursuant to notice, and by leave of the House, Mr. TOOMER introduced a Bill to amend the Constitution of the State so far as to disqualify for seats in the General Assembly all persons as shall be Presidents or Directors of any banking institution ; which was read the first time and referred to the Committee on the Judiciary.

On motion of Mr. EPPS, the seventy-fourth rule of this House was suspended for this day.

Mr. EPPS presented the accounts of John Sturgess ; which were referred to the Committee on Claims.

Mr. DANTZLER presented the petition of J. H. Felder and P. T. Felder, praying to be refunded a tax ; which was referred to the Committee of Ways and Means ;

Also, the account of Dr. H. J. Avinger ; which was referred to the Committee on Claims.

Mr. B. J. WHALEY presented the memorial of the Wentworth Street Baptist Church, of Charleston ; which was referred to the Committee on Incorporations.

Mr. J. B. PERRY presented the petition of sundry citizens of St. Bartholomew's Parish, praying that Fish Pond Swamp and other streams may be declared navigable ; which was referred to the Committee on Internal Improvements.

Mr. W. B. WILSON presented the petition of sundry citizens of York District, praying a change of the time of elections in said district ; which was referred to the Committee on Privileges and Elections.

Mr. JONES presented the petition of Randall Croft and others for the incorporation of Carradine Bridge Company; which was referred to the Committee on Incorporations.

Mr. HART presented the petition of H. H. Harris, against a public road in Darlington; which was referred to the Committee on Roads, Bridges and Ferries.

Mr. BUSH presented the petition of sundry citizens of Aiken, for the Incorporation of a Fire Company in said town; which was referred to the Committee on Incorporations.

Mr. T. Y. SIMONS, Jr., presented the account of Dr. S. L. Lockwood; Also, the account of Dr. O. C. Rhame; which were severally ordered for consideration to-morrow.

Mr. CROSSON submitted the following Resolution, which was ordered for consideration to-morrow :

*Resolved*, That this Legislature deems it inexpedient for the Commissioners of the New State Capitol to continue the work on that buildings, until full and particular estimates of its probable cost be submitted to the Legislature.

Mr. HARRINGTON asked and obtained leave to withdraw from the files of the House the account of D. Wicker.

Mr. TILLMAN presented the petition of Humphrey Boulware, late Sheriff of Edgefield District; which was referred to the Committee on District Officers and Offices.

Mr. HAYNESWORTH asked and obtained leave to withdraw from the files of the House, the account of L. H. Flinn.

Mr. GREEN asked and obtained leave to withdraw from the files of the House the account of Robert Frazer.

Pursuant to notice, and by leave of the House, Mr. MELTON introduced a Bill to exempt certain public officers from ordinary militia duty; which was read the first time, and referred to the Committee on the Military.

Mr. MITCHELL presented the Report of the Committee on the Judiciary, on a Bill from the Senate to extend to Judges at Chambers the powers of appointing Commissioners to value lands required for Railroads; which was ordered for consideration to-morrow.

Mr. McBEE presented the Report of the Commissioner of Public Works for 1854; which was referred to the Committee on Internal Improvements.

The following Message was received from the Senate :

IN THE SENATE, Dec. 13, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully accepts the invitation of your House to attend at 1 o'clock, P. M., at the Inauguration of the Governor elect in your House.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. TUCKER, the Reporter of the Spartanburg Express was allowed a seat on the floor of the House.

Mr. HARRISON presented the following Resolution, which was considered and agreed to :

*Resolved*, That the privileges of the floor of this House be tendered to the Hon. ANDREW J. MILLER, a distinguished citizen of Georgia, during the remainder of the session.

### INAUGURATION OF THE GOVERNOR.

The Senate, Chancellors, and Law Judges then attended in the Hall of the House of Representatives, and immediately after, the Hon. JAMES H. ADAMS, Governor elect, accompanied by Governor MANNING and the Joint Committee of Arrangements, entered the Hall.

The Governor elect addressed the Members of the General Assembly acknowledged his profound sense of gratitude for this expression of public confidence manifested by his election to preside over the Executive Department of the Government.

The SPEAKER of the House of Representatives then administered to the Governor elect the constitutional oath of office.

The SPEAKER, accompanied by the Members, and attended by the officers of the House, went to the Senate Chamber, where the President of the Senate delivered to the Governor his Commission; and from thence the Governor, accompanied by the President of the Senate and the Speaker of the House of Representatives, with the Members of the General Assembly, repaired to the eastern portico of the Capitol, when the Sheriff of Richland District read the Governor's Commission, and made proclamation of his election.

The SPEAKER took the Chair.

The following Message was received from the Senate :

IN THE SENATE, December 13, 1854.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate grants leave to your House to amend the resolution of the Senate, to wit : "*Resolved*, That this General Assembly will adjourn *sine die* on Wednesday, the 20th inst., at nine o'clock, P. M., by striking out Wednesday, the 20th, and inserting Thursday, the 21st.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

The resolution as amended was agreed to, and ordered to be returned to the Senate.

The House resumed the consideration of the

### GENERAL ORDERS.

On motion of Mr. CUNNINGHAM, A Bill to alter and amend the tenth section of the first article of the Constitution of this State, as to the time of holding elections for members of the General Assembly, was made the special order of the day for to-morrow at 12 o'clock, M.

The following Reports were considered and agreed to :

Reports of the Committee on Roads, Bridges, and Ferries

On the petition of G. E. Miller, praying to be allowed to hawk and peddle;

On the petition of sundry citizens of Anderson, for the establishment of a public road.

Reports of the Committee on Privileges and Elections

On the petition of J. W. McCutchen, D. K. Morgan, and others, in relation to elections.

Reports of the Committee on Claims

On the petition of James Moore;

On the petition of John T. Peterson;

On the petition of L. P. Sadler.

Report of the Committee on Incorporations on the petition of sundry citizens of Darlington District, praying the incorporation of the village of Rollinsville.

The following Reports were considered and agreed to, and ordered to be sent to the Senate for concurrence :

The Report of the Committee of Ways and Means on the petition of G. J. Reed, to be refunded a double tax.

The Report of the Committee on Roads, Bridges and Ferries, on the petition of sundry citizens of Horry District, praying for the opening of a new road.

Reports of the Committee on Claims

On the accounts of Drs. Wardlaw & Lyons;

On the account of James Porcher;

On the account of W. B. Seabrook;

On the account of William Hill;

On the account of J. M. Crosson and others;

On the account of R. M. Stokes;

On the petition of R. W. Gibbs, Jr.;

On the petition of J. W. Guyton;

On the account of Samuel A. Hodges;

On the petition of James Bonds;

On the account of W. J. H. Graham.

The Report of the Committee on Incorporations on the petition for the renewal of the Charter of the Village of Orangeburg;

A Bill to incorporate the Society for the relief of indigent and superannuated Ministers of the Presbyterian Church, and their families;

A Bill to incorporate the Yorkville Female Institute;

A Bill to amend an Act, entitled "An Act to incorporate the Town of Mount Pleasant;"

A Bill to amend the Charter of the Town of Columbia, and for other purposes;

A Bill to authorize the Cheraw and Darlington Railroad Company to increase their capital stock;

A Bill to authorize the formation of a Volunteer Battalion, to be attached to the 23d Regiment South Carolina Militia, and for other purposes;

A Bill to amend an Act to re-charter the Merchants' Bank of South Carolina at Cheraw;

A Bill to incorporate the Village of Marion, and for other purposes therein mentioned; were read the second time, and ordered to be sent to the Senate.

The following papers were ordered *to lie on the table*:

Report of the Committee on the Judiciary on a Bill to change the time of holding the Courts of Law on the Western Circuit; and

A Bill for the extension and re-charter of the Mount Pleasant Ferry Company; reported by the Committee on Roads, Bridges and Ferries.

The Report of the Committee on Incorporations on the petition of the Vestry and Wardens of St. Peter's Church, praying an Act of Incorporation, was taken up, and the petition was re-committed to the Committee on Incorporations.

A Bill to amend the first clause of an Act, entitled "An Act to renew and amend the charters of certain towns and villages heretofore incorporated," passed December 25th, 1853, reported by the Committee on Incorporations; and memorial of the town of Edgefield, was called for a second reading, and progress having been made thereon,

Under the order of the House, business was suspended at 4 o'clock, P. M., until 7 o'clock, P. M.

## RECESS.

When the SPEAKER took the Chair,

Mr. MORAGNE moved to strike out the proviso to the second section of the Bill, and to insert the following as an amendment:

"It shall be the duty of the Town Council, by just and equal taxation upon the property of the inhabitants of the said town, to make provision for



the payment of the interest and principal of the said bonds as they respectively become payable; and, in case of default of payment either of interest or principal, any bondholder shall have the right to obtain from any of the Judges of the Court of Common Pleas, either in term or at Chambers, a *Mandamus* to compel the execution of the said duty, the costs whereof shall be paid by the Town Council."

And the question being put, Will the House agree thereto? it passed in affirmative,

Ayes, 74—Noes, 27.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are

| Hon. JAMES SIMONS, Speaker, and |              |                    |
|---------------------------------|--------------|--------------------|
| Messrs. Ambler,                 | Hampton,     | Murray,            |
| Bailey,                         | Harrington,  | Noble,             |
| Blanding,                       | Harrison,    | Peeples,           |
| Bowers,                         | Hearst,      | Perry, B. F.,      |
| Boylston,                       | Holston,     | Pope,              |
| Bryan,                          | Horlbeck,    | Read,              |
| Bryce,                          | Jones,       | Rebb,              |
| Bush,                           | Kershaw,     | Richardson,        |
| Butler,                         | King,        | Simons, T. Y., Jr. |
| Campbell,                       | Kirk, P. C., | Simpson,           |
| Cauthen,                        | Landrum,     | Spain,             |
| Cordes,                         | Lewis,       | Steele,            |
| Crosson,                        | Lowry,       | Sullivan,          |
| Cunningham,                     | McBee,       | Thomson,           |
| DeSaussure, W. D.               | McCady,      | Tillman,           |
| DeSaussure, W. G.               | McKensie,    | Trotti,            |
| Duncan,                         | McQueen,     | Trenholm,          |
| Ellis,                          | Melton,      | Tucker,            |
| Epps,                           | Memminger,   | Wallace, Wm.,      |
| Furman,                         | Middleton,   | Whaley, B. J.,     |
| Gill,                           | Mitchell,    | Whaley, J. C.,     |
| Graham,                         | Mobley,      | Whiting,           |
| Green,                          | Mooney,      | Wilson, John,      |
| Grisham,                        | Moragne,     | Wilkes.            |
| Hammond,                        |              |                    |

Those who voted in the negative are—

|                |           |                 |
|----------------|-----------|-----------------|
| Messrs. Beaty, | Johnson,  | Porcher,        |
| Boykin,        | Kilgore,  | Rice,           |
| Clawson,       | McKnight, | Rowell,         |
| Dantzler,      | Metts,    | Rumph,          |
| Felder,        | Miller,   | Thornwell,      |
| Fox,           | Munro,    | Toomer,         |
| Haynesworth,   | Moorer,   | Wallace, A. S., |
| Hope,          | Mullins,  | Wilson, W. B.,  |
| Irby,          | O'Bryan,  | Williams.       |

The Bill was then ordered to be sent to the Senate.

On motion of Mr. PERRY, a Bill to authorize aid to the Blue Ridge Railroad in South Carolina, was taken up out of its order, and made the Special Order of the day for Thursday next, at 1 o'clock, P. M.

The following Reports were considered and agreed to :

Report of the Committee on Incorporations, on petitions for and against the incorporation of the town of Williston ;

Reports of the Committee on Claims

On the petition of Thomas Atkinson ;

On the petition of John L. Miller.

Reports of the Committee on the Judiciary

On the Presentment of the Grand Jury of Lexington, recommending payment of jurors attending Magistrate's Courts ;

On the petition of sundry citizens of Sumter, praying increased compensation to jurors and witnesses ;

On the petition of Abner L. McWhorter, praying Legislature to change his name.

Report of the Committee on Colored Population, on the petition of sundry citizens of Orangeburg District, praying that tickets to slaves may be made more specific.

Report of the Committee of Ways and Means, on memorial of Farmers' and Exchange Bank of Charleston, to be refunded a tax on real estate.

Report of the Medical Committee, in relation to so much of the Governor's Message as relates to the registration of births, deaths and marriages.

Report of the Committee on District Officers and Offices, on the Presentment of the Grand Jury of Union District.

Report of the Committee of Ways and Means, on a Bill to grant the aid of the State in the construction of a plank road from Conwayboro' to Fair Bluff, North Carolina.

The Report of the Committee on Claims, on the petition of Gabriel South, praying compensation for slave, was considered and rejected.

The following Reports were considered and agreed to, and ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims

On the account of W. P. Price ;

On the account of Drs. Wardlaw & Lyon ;

On the account of S. P. Kinard ;

On the account of the Chester Standard ;

On the account of Thomas J. Workman ;

On the account of W. W. Goodman ;

On the account of G. P. Thomas ;

On the account of Thomas J. Warren ;

On the account of J. J. McCarter & Co. ;

On the account of Wm. H. Huger ;

On the account of Alex. Strain ;

Reports of the Committee of Ways and Means

On memorial of City Council of Charleston, for increase of appropriation for transient poor ;

On abstract of expenditures for the poor of Charleston in 1854 ;

Reports of the Medical Committee

On the account of Drs. Turpin & Jones ;

On the account of Dr. W. D. Wallace ;

On the account of Dr. J. H. Dean ;

Report of the Committee on District Officers and Offices

On the petition of sundry citizens of Newberry District, for appointment of a Magistrate ;

A Bill to amend an Act to incorporate the Fireman's Insurance Company of Charleston, passed 16th December, A. D., 1852 ;

A Bill to amend the charter of the Town of Georgetown ;

A Bill to amend the charter of the Bank of the State of South Carolina ;

A Bill to authorize and empower the Commissioners of the Orphan House of Charleston to select the number of youths therein mentioned from those educated and maintained on the bounty of that institution, who shall be allowed to complete their education at the Military Schools established by this State ; were read the second time, and ordered to be sent to the Senate.

The following papers were ordered to *lie on the table* :

Report of the Special Joint Committee on report of Senate's Committee as to religious services in the Hall of the House of Representatives ;

Report of Committee on District Officers and Offices on the petition of sundry citizens of Union District for appointment of a magistrate ;

Report of the Committee on Roads, Bridges, and Ferries, on the petition of the Western Board of Road Commissioners of Clarendon county ;

Report of the Committee on Public Printing ;

Report of the minority of same Committee;

Report of the Committee on Claims on the petition of Larkin Barmore;

Resolution to appoint a Committee to nominate a President and Directors of the Bank of the State of South Carolina.

On motion of Mr. CUNNINGHAM, No. 112, being a Bill to amend an Act, entitled "An Act to authorize the formation of the Savannah River Valley Railroad Company, and for other purposes," was made the Special Order of the day for Thursday next at 7 o'clock, P. M.

On motion of Mr. HAMMOND, a Bill to regulate the navigation of Horse Creek, in Edgefield District, was ordered to *lie on the table*.

Yeas, 50—Nays, 45.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are

|                |             |               |
|----------------|-------------|---------------|
| Messrs. Beaty, | Hart,       | Munro,        |
| Bowers,        | Haynsworth, | Mullins,      |
| Boykin,        | Henderson,  | Murray,       |
| Bratton,       | Holston,    | O'Bryan,      |
| Bush,          | Hope,       | Peeples,      |
| Cordes,        | Irby,       | Richardson,   |
| Crosson,       | Jones,      | Rowell,       |
| Dantzler,      | Johnson,    | Simpson,      |
| Dorn,          | Kershaw,    | Spain,        |
| Ellis,         | Kilgore,    | Steele,       |
| Epps,          | Landrum,    | Sullivan,     |
| Felder,        | Lowry,      | Tillman,      |
| Fox,           | McKensie,   | Tucker,       |
| Furman,        | McQueen,    | Wilson, John, |
| Gill,          | Middleton,  | Williams,     |
| Graham,        | Miller,     | Wilkes.       |
| Hammond,       | Mobley,     |               |

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker, and

|                 |                  |             |
|-----------------|------------------|-------------|
| Messrs. Ambler, | Bryce,           | Green,      |
| Bailey,         | Butler,          | Grisham,    |
| Blanding,       | Campbell,        | Hampton,    |
| Blum,           | Clawson,         | Harrington, |
| Boylston,       | DeSaussure, W.G. | Hearst,     |
| Bryan,          | Duncan,          | King,       |

|              |                    |                 |
|--------------|--------------------|-----------------|
| Kirk, P. C., | Noble,             | Trotti,         |
| Kirk, M. J., | Perry, B. F.,      | Toomer,         |
| Lewis,       | Perry, J. B.,      | Trenholm,       |
| McBee,       | Pope,              | Wallace, A. S., |
| McCrary,     | Porcher,           | Wallace, Wm.,   |
| Melton,      | Read,              | Whaley, B. J.,  |
| Memminger,   | Rumph,             | Whaley, J. C.,  |
| Mitchell,    | Simons, T. Y., Jr. | Wilson, W. B.,  |
| Moragne,     | Thomson,           |                 |

On motion of Mr. TUCKER, it was ordered that when this House adjourns it shall be adjourned till 11 o'clock, A. M., to-morrow.

On motion of Mr. LOWRY, the House was adjourned at 50 minutes past 9 o'clock, P. M.

#### THURSDAY, DECEMBER 14, 1854.

At the hour to which the House adjourned, the Clerk called the Roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House a Bill to exempt all Ministers of the Gospel from the performance of ordinary militia duty; which was read the first time, and referred to the Military Committee.

The SPEAKER called for Reports of Standing Committees, and of Special Committees.

Mr. TUCKER, from the Committee on Incorporations, made Reports

On a petition and counter petition for the incorporation of Walhalla;

On a memorial from the City Council of Charleston, praying a confirmation of Railroad subscriptions, and a counter memorial on the same subject; which were severally ordered for consideration to-morrow.

On motion of Mr. TUCKER, the Committee on Incorporations were discharged from the further consideration of the petition of Randall Croft and others for the incorporation of Caradine Bridge Company; and the same was referred to the Committee on Roads, Bridges and Ferries.

Mr. THOMSON, from the Committee on Claims, made Reports

On the accounts of J. W. Sturges for a *post mortem* examination;

On the account of H. J. Avinger, for a *post mortem* examination; which were severally ordered for consideration to-morrow.

Mr. CLAWSON, from the Committee on the Judiciary, to whom had been referred a Bill to regulate the commissions of Escheators, made a Report; which was ordered for consideration to-morrow.

Mr. KING presented the Report of the Committee on Incorporations on the petition of citizens of Aiken, praying incorporation of a Fire Company in said town;

Also, the Report of the same Committee on the petition of the Vestry and Wardens of St. Peter's Church, Chesterville, and the petition of Wentworth Street Church, in Charleston; which were severally ordered for consideration to-morrow.

Mr. TOBIN presented the Report of the same Committee on the petition of certain citizens of Columbia, to be incorporated as the "Columbia Hotel Company," which was ordered for consideration to-morrow.

Mr. MIDDLETON presented the Report of the Committee of Ways and Means on A. Hyde's letter in relation to claims for losses in Florida war, and remittance to Governor;

Also, the Report of the same Committee on petition of Eldred Gooding, Tax Collector of Prince Williams, praying to be refunded money paid into the Treasury; which were severally ordered for consideration to-morrow.

Mr. BRYCE presented the Report of the Committee on Claims, on the account of C. H. Simonton, for services rendered to the Commission on the Luxembourg Chain; which was ordered for consideration to-morrow.

Mr. LEWIS presented the Report of the President and Directors of the Pendleton Railroad Company; which was referred to the Committee of Ways and Means.

On motion of Mr. HAMMOND, leave of absence was granted to W. C. CAUTHEN for the remainder of the session.

Mr. POPE offered the following Resolution, which was considered and agreed to:

*Resolved*, That Col. A. P. HAYNE, a distinguished officer of the war of 1812, be invited to a seat on the floor of the House.

Mr. WAGNER offered the following Resolution, which was considered and agreed to:

*Resolved*, That Hon. Samuel Rice, of Alabama, be invited within the Bar of this House, and be tendered the usual privileges of the floor.

The SPEAKER called for resolutions, bills and motions.

Pursuant to notice, and by leave of the House, Mr. CROSSON introduced a Bill to amend the Charter of the Newberry and Chester Railroad Company, passed 20th December, 1853; which was read the first time, and referred to the Committee on Incorporations.

On motion of Mr. McKENSIE, leave of absence for the remainder of the session was granted to Mr. D. H. ELLIS.

Mr. J. C. WHALEY asked and obtained leave to withdraw from the files of the House the petition of Wm. Brisbane, in relation to a double tax.

Mr. J. C. WHALEY gave notice that to-morrow he will move to suspend the 74th rule of this House.

On motion of Mr. KERSHAW, the editor of the Camden Journal was allowed a seat on the floor of the House.

On motion of Mr. THOMSON, the House proceeded to the consideration of the

### GENERAL ORDERS.

Number 263, being Report of the Committee on Claims on the account of John L. Dawson.

Number 264, being Report of same Committee on the account of Dr. H. W. DeSaussure; and

Number 265, being Report of the same Committee on the account of John L. Dawson, were re-committed to the Committee.

Mr. RICE presented the Report of the Committee on Roads, Bridges and Ferries on a Bill to alter and amend the license laws of this State;

Also; the Report of the same Committee on a Bill to amend the law in relation to Commissioners of Roads, Bridges and Ferries;

Also, the Report of the same Committee on a Bill exempting certain persons therein mentioned from road duty on certain conditions;

Also, the Report of the same Committee on a Bill to repeal the eighth section of an Act to establish certain roads, bridges and ferries, passed in 1849;

Also, the Report of the same Committee on a Bill to allow T. C. Devlin to hawk and peddle in Abbeville District without the payment of the tax now imposed by law; which were severally ordered for consideration to-morrow.

Mr. TUCKER introduced the following Resolution, which was ordered for consideration to-morrow:

*Resolved*, That the Chairman of the Committee on Education be requested to prepare a digest of the several Acts of Assembly, and Joint Resolutions, heretofore passed by the Legislature, and now of force, as well as such Acts and Resolutions as shall be passed at the present session of this General Assembly, in relation to the subject of Free Schools; that the same be published by said Chairman in pamphlet form, and that he be authorized to draw upon the public Treasury for the necessary expense of publishing five hundred copies, to be distributed among the several Boards of Commissioners of Free Schools in this State.

Mr. HAMPTON presented the Report of the Committee on the Lunatic Asylum on a Bill to amend an Act, entitled "An Act to carry into operation the Lunatic Asylum;" which was ordered for consideration to-morrow.

Mr. CUNNINGHAM presented the Report of the Delegation from St. Philip's and St. Michael's, on the petition of David Truesdell; which was ordered for consideration to-morrow.

Mr. MIDDLETON offered the following Resolution, which was considered immediately, and was agreed to:

*Resolved*, That the Committee of Ways and Means be instructed to enquire as to the expediency of continuing to appropriate the railway dividends on the State shares, to the purpose of aiding in the removal of the obstruction in the Sullivan's Island Channel of the port of Charleston.

Mr. BLUM presented the Report of the Committee on the Military on a Bill to exempt certain public officers from ordinary militia duty; which was ordered for consideration to-morrow.

### SPECIAL ORDER.

A Bill to alter and amend the tenth section of the first article of the Constitution of this State, as to the time of holding elections for members of the General Assembly, which had been made the Special Order of the day for this day, at 12 o'clock, M., was taken up; and,

On motion of Mr. CUNNINGHAM, the same was discharged, and made the Special Order of the day for the second Monday in December next, at 1 o'clock, P. M.

Mr. TILLMAN offered the following resolution, which was considered and agreed to:

*Resolved*, That it be referred to the Committee on Privileges and Elections to inquire and Report as to the propriety of having all laws and resolutions now of force relating to elections published in pamphlet form.

Mr. O'BRYAN offered the following Resolution, which was ordered for consideration to-morrow.

*Resolved*, That the Governor be authorized to employ an engineer to make surveys of the Big and Little Saltketcher rivers, and to report estimates of the probable cost of making either or both of said rivers navigable for rafts.

Mr. TOOMER gave notice that he will to-morrow ask leave to introduce a Bill authorizing the appointment of a Committee to examine the Banks in this State, with power to send for and examine persons and papers, and that they have leave to sit during the recess;

Also, a Bill which shall authorize and require the Governor to convene the Legislature forthwith, upon the Committee who are appointed to examine Banks, signifying to him that their reports are prepared.



Mr. HAMMOND asked and obtained leave to withdraw from the files of the House the account of J. D. Hail, Sheriff of Lancaster District.

Mr. MOBLEY asked and obtained leave to withdraw from the files of the House the account of J. W. Pitts, for a *post mortem* examination.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

The following Bills were read the second time, and ordered to be sent to the Senate :

A Bill for the establishment of rates of interest, and for the repeal of the Usury Laws ;

A Bill to re-charter the Bank of Georgetown, South Carolina ;

A Bill to authorize the Comptroller General to accept the bequest of the late John Blair ;

A Bill to re-charter the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia ;

A Bill to authorize the Town Council of Hamburg to subscribe to the capital stock of certain Railroad Companies therein mentioned ;

A Bill to incorporate the Southern Mutual Life Insurance Company.

The following Message was received from the Senate :

IN THE SENATE, December 14, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully proposes to your House to go into an election for United States Senator at half-past 12 o'clock, to-morrow.

By order of Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. BOYKIN, a Message of concurrence was sent to the Senate.

The following reports were considered and agreed to :

Report of the Committee of Ways and Means on the petition and memorial of James Munroe, praying an Act of Incorporation of a Bank, to be called the Commercial Bank of Charleston, South Carolina ; and

A Bill to incorporate the Commercial Bank of Charleston, South Carolina.

Report of the Committee on the Judiciary on so much of the presentment of the Grand Jury of Fairfield as recommends a law to allow books of planters to be given in evidence.

Report of the same Committee on the petition of sundry citizens of Sumter, praying increased compensation to Constables.

A Bill to alter and amend the law in relation to the jurisdiction of Magistrates, reported on by the Committee on the Judiciary, was taken up.

Mr. TUCKER moved to lay the Report of the Committee on the table ; and the question being put, Will the House agree thereto ? it passed in the affirmative.

Yeas, 66—Nays, 40.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                 |            |                 |
|-----------------|------------|-----------------|
| Messrs. Ambler, | Henderson, | Perry, J. B.,   |
| Anderson,       | Herndon,   | Randall,        |
| Beaty,          | Hope,      | Rebb,           |
| Bowers,         | Irby,      | Rice,           |
| Bryce,          | Johnson,   | Richardson,     |
| Bush,           | Kilgore,   | Rowell,         |
| Campbell,       | Lowry,     | Rumph,          |
| Charles,        | McBee,     | Sanders,        |
| Dantzier,       | McKensie,  | Seabrook,       |
| Dorn,           | McKnight,  | Sullivan,       |
| Duncan,         | McQueen,   | Tillman,        |
| Ellis,          | Melton,    | Tobin,          |
| Felder,         | Metts,     | Toomer,         |
| Fox,            | Miller,    | Trimmier,       |
| Gill,           | Mobley,    | Tucker,         |
| Graham,         | Moorer,    | Wallace, A. S., |
| Grisham,        | Mooney,    | Wallace, Wm.,   |
| Hammond,        | Mullins,   | Whaley, J. C.,  |
| Hart,           | Murray,    | Whiting,        |
| Harrington,     | Noble,     | Wilson, John,   |
| Haynesworth,    | O'Bryan,   | Williams,       |
| Hearst,         | Peeples,   | Wilkes.         |

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker, and

|                |             |                   |
|----------------|-------------|-------------------|
| Messrs. Barly, | Bryan,      | DeSaussure, W. D. |
| Blum,          | Butler,     | DeSaussure, W. G. |
| Boykin,        | Clarke,     | Hampton,          |
| Boylston,      | Cordes,     | Harrison,         |
| Bratton,       | Cunningham, | Helston,          |

|              |                     |                |
|--------------|---------------------|----------------|
| Jones,       | Munro,              | Thornwell,     |
| Kershaw,     | Moragne,            | Trotti,        |
| King,        | Pope,               | Trenholm,      |
| Kirk, P. C., | Read,               | Whaley, B. J., |
| Kirk, M. J., | Simons, T. Y., Jr., | Wilson, B. H., |
| McCrary,     | Simpson,            | Wilson, W. B., |
| Memminger,   | Spain,              | Witherspoon.   |
| Mitchell,    | Thomson,            |                |

Mr. B. F. PERRY called for the Special Order, being a Bill to authorize aid to the Blue Ridge Railroad, in South Carolina; and progress having been made thereon,

Under the order of the House, business was suspended at 4 o'clock, P. M., until 7 o'clock, P. M.

### RECESS.

When the Speaker took the Chair, the following message was received from the Senate; which was ordered *to lie on the table*:

IN THE SENATE, Dec. 14, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully asks leave of your House to amend the report of the Committee of your House on the Lunatic Asylum and medical accounts on account of Dr. W. B. Nott, for a *post mortem* examination, and for mileage, by striking out eleven dollars for the purpose of inserting twenty-one dollars, to which amount the petitioner is entitled under the Act of 1851, entitled an Act to compensate physicians, etc.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

The House resumed the consideration of the Special Order, and the Bill was read the second time.

Mr. MULLINS moved to amend the first section of the Bill by striking out \$500,000 in the 11th line of the first section of the Bill, and inserting \$1,000,000.

Mr. MEMMINGER moved to lay the amendment on the table.

And the question being put, Will the House agree thereto? it passed in the affirmative,

Yeas, 67—Nays, 45.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

Hon. JAMES SIMONS, Speaker, and

|                   |             |                     |
|-------------------|-------------|---------------------|
| Messrs. Ambler,   | Hampton,    | Randall,            |
| Anderson,         | Harrington, | Reed,               |
| Bailey,           | Harrison,   | Rebb,               |
| Blanding,         | Hearst,     | Richardson,         |
| Blum,             | Herndon,    | Rowell,             |
| Bowers,           | Horlbeck,   | Siegling,           |
| Boykin,           | Kershaw,    | Simons, T. Y., Jr., |
| Boylston,         | King,       | Steele,             |
| Bratton,          | Landrum,    | Sullivan,           |
| Bryan,            | Lewis,      | Thomson,            |
| Bryce,            | McBee,      | Trotti,             |
| Bush,             | McCady,     | Toomer,             |
| Butler,           | McGowan,    | Trenholm,           |
| Campbell,         | McKnight,   | Wallace, William,   |
| Cunningham,       | Memminger,  | Wagner,             |
| DeSaussure, W. G. | Middleton,  | Whaley, B. J.,      |
| Dorn,             | Mitchell,   | Whaley, J. C.,      |
| Duncan,           | Mobley,     | Whiting,            |
| Epps,             | Moragne,    | Wilson, B. H.,      |
| Furman,           | Noble,      | Wilson, John,       |
| Graham,           | O'Bryan,    | Wilkes,             |
| Grisham,          | Pope,       | Witherspoon,        |

Those who voted in the negative are

|                |               |                 |
|----------------|---------------|-----------------|
| Messrs. Beaty, | Jones,        | Porcher,        |
| Clarke,        | Kilgore,      | Rice,           |
| Clawson,       | Kirk, P. C.,  | Rumph,          |
| Cordes,        | Kirk, M. J.,  | Sanders,        |
| Crosson,       | Lowry,        | Seabrook,       |
| Dantzler,      | McQueen,      | Simpson,        |
| Felder,        | Melton,       | Spain,          |
| Fox,           | Metts,        | Thornwell,      |
| Gill,          | Miller,       | Tillman,        |
| Hammond,       | Munro,        | Tobin,          |
| Hart,          | Moorer,       | Trimmier,       |
| Henderson,     | Mooney,       | Tucker,         |
| Hope,          | Mullins,      | Wallace, A. S., |
| Irby,          | Murray,       | Wilson, W. B.,  |
| Johnson,       | Perry, J. B., | Williams.       |

Mr. CROSSON offered the following proviso as an amendment to the first section of the Bill :

*Provided, That the moneys subscribed by this State, and the money raised by bonds endorsed by the State, be expended in the State of South Carolina ; and that the said moneys expended do not exceed one-fourth of the cost of said road in this State.*

Mr. B. H. WILSON moved that the amendment be ordered *to lie on the table*, and the question being put, will the House agree thereto ? it passed in the affirmative,

Yeas, 75—Nays, 39.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                                 |               |                     |
|---------------------------------|---------------|---------------------|
| Hon. JAMES SIMONS, Speaker, and |               |                     |
| Messrs. Ambler,                 | Haynesworth,  | Porcher,            |
| Anderson,                       | Hearst,       | Randall,            |
| Bailey,                         | Herndon,      | Read,               |
| Blanding,                       | Horlbeck,     | Rebb,               |
| Blum,                           | Kershaw,      | Richardson,         |
| Boykin,                         | King,         | Rowell,             |
| Boylston,                       | Kirk, P. C.,  | Siegling,           |
| Bratton,                        | Kirk, M. J.,  | Simons, T. Y., Jr., |
| Bryan,                          | Landrum,      | Spain,              |
| Bryce,                          | Lewis,        | Steele,             |
| Bush,                           | McBee,        | Sullivan,           |
| Butler,                         | McCrady,      | Thomson,            |
| Campbell,                       | McGowan,      | Trotti,             |
| Cunningham,                     | McKnight,     | Toomer,             |
| DeSaussure, W.D.                | Memminger,    | Trenholm,           |
| DeSaussure, W.G.                | Middleton,    | Wallace, Wm.,       |
| Dorn,                           | Mitchell,     | Wagner,             |
| Duncan,                         | Mobley,       | Whaley, B. J.,      |
| Epps,                           | Moragne,      | Whaley, J. C.,      |
| Furman,                         | Murray,       | Whiting,            |
| Graham,                         | Noble,        | Wilson, B. H.,      |
| Grisham,                        | O'Bryan,      | Wilson, John        |
| Hampton,                        | Perry, B. F., | Wilkes.             |
| Harrington,                     | Perry, J. B.  | Witherspoon.        |
| Harrison,                       | Pope,         |                     |

Those who voted in the negative are

|                |          |                 |
|----------------|----------|-----------------|
| Messrs. Beaty, | Johnson, | Rice,           |
| Clarke,        | Jones,   | Rumph,          |
| Clawson,       | Kilgore, | Sanders,        |
| Cordes,        | Lowry,   | Seabrook,       |
| Crosson,       | McQueen, | Simpson,        |
| Dantzler,      | Melton,  | Thornwell,      |
| Felder,        | Metts,   | Tillman,        |
| Fox,           | Miller,  | Tobin,          |
| Gill,          | Munro,   | Trimmier,       |
| Hammond,       | Moorer,  | Tucker,         |
| Henderson,     | Mooney,  | Wallace, A. S., |
| Hope,          | Mullins, | Wilson, W. B.,  |
| Irby,          | Peeples, | Williams.       |

On motion of Mr. CUNNINGHAM, the debate on the Bill was adjourned till to-morrow, at 12 o'clock, M.

On motion of Mr. CUNNINGHAM, the Special Order of the day for this day at 7 o'clock, P. M., a Bill to amend an Act entitled "An Act to authorize the formation of the Savannah River Valley Railroad Company, and for other purposes," was discharged, and the same was made the Special Order of the day for to-morrow, at 8 o'clock, P. M.

On motion of Mr. CUNNINGHAM, it was ordered that when this House adjourns, it shall be adjourned to meet to-morrow at 11 o'clock, A. M.

On motion of Mr. CUNNINGHAM, the House was adjourned at three minutes past 10 o'clock, P. M.

FRIDAY, DECEMBER 15, 1854.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House the Report of the Committee on Claims and Grievances on the petition of John T. Petersen, Tax Collector of Newberry and others; which was referred to the Committee on Claims;

Also, the Report of the Joint Committee to examine and audit the Executive accounts; which was referred to the Special Committee to audit accounts of the Governor.

The Senate returned to this House with their concurrence :

Reports of the Committee on Claims

On the account of G. B. Lartigue ;

On the account of Drs. Flinn & Lee ;

On the account of J. N. Lawrence ;

On the petition of R. A. Archer ;

On the account of Irby Dunklin ;

On the account of James M. Hunter ;

On the account of R. A. McKnight ;

On the account of J. E. & L. M. Grist ;

On the account of B. T. Yarborough ;

On the account of J. J. Bethea ;

On the account of C. P. Woodruff ;

On the account of W. W. Brunsen ;

On the account of C. C. Higgins ;

On the account of Alexander Williams ;

On the account of R. S. Mellet ;

On the account of J. J. Bethea ;

On the account of J. H. Dillard.

The Senate also sent to this House the following Bills, which were read the first time :

A Bill to provide for the preservation of the Records of the Office of Superintendent of Public Works, was referred to the Committee on Internal Improvements ;

A Bill to amend an Act, entitled " An Act more effectually to prevent free negroes, and other persons of color, from entering into this State, and for other purposes," passed the nineteenth day of December, Anno Domini, one thousand eight hundred and thirty-five ; was referred to the Committee on Colored Population.

The Senate also sent to this House the Report of the Special Joint Committee appointed to request a copy of Dr. Thornwell's discourse ; and the House unanimously agreed to dispense with a reference of the same to a Committee ; the same was considered immediately, agreed to, and ordered to be returned to the Senate.

The SPEAKER called for Reports of Standing Committees and of Special Committees.

On motion of Mr. WILLIAMS, the Committee on District Officers and Offices were discharged from the further consideration of the petition of Humphrey Boulware ; and the same was referred to the Committee on Claims.

Mr. MITCHELL presented the Report of the Committee on the Judiciary on a Bill to repeal the twenty-seventh section of an Act, entitled " An

Act to establish certain Roads, Bridges and Ferries, and to renew certain charters heretofore granted," ratified 20th December, 1853; and also a memorial from sundry citizens of Edgefield on same subject; which was ordered for consideration to-morrow.

Mr. THOMSON presented the Reports of the Committee on Claims

On the account of R. L. Bryan;

On the account of John L. Dawson;

On the account of J. L. Dawson;

On the account of H. W. DeSaussure; which were severally ordered for consideration to-morrow;

Also, Reports of the same Committee on Reports of the Committee on Claims and Grievances of the Senate:

On the petition of John R. Beaty;

On the account of R. W. Gibbes, Jr.;

On the petition of P. D. Stokes;

On the petition of J. Malachi Ford;

On the account of W. J. Graham;

On the petition of C. B. Sarvis;

Also, reports of the same Committee on the reports of the Committee on the Lunatic Asylum and Medical Accounts:

On the petition of Dr. J. H. Grant;

On the account of George S. Pelzer;

On the account of Dr. T. A. Dargan;

On the petition of W. K. Cuckon; which were severally ordered for consideration to-morrow;

Mr. McCRADY presented the Report of the Committee on Federal Relations on a Bill from the Senate "To authorize the United States to purchase certain parcels of land in this State, for the erection of Light Houses and Beacon Lights; which was ordered for consideration to-morrow.

Mr. W. G. DESAUSSURE presented the Report of the Committee on the Judiciary, on a Bill from the Senate, entitled "A Bill to provide for the better administration of Justice in the City Court of Charleston; which was ordered for consideration to-morrow.

Mr. SULLIVAN presented the Report of the Committee on Education on a resolution from the Senate, for employment of a Clerk to compile the Free School Returns; which was considered immediately and agreed to, and ordered to be returned to the Senate.

Mr. TUCKER presented the Report of the Committee on Incorporations On a Bill to amend the charter of the Newberry and Chester Railroad Company.

Mr. CLAWSON presented the report of the Committee on the Judiciary, on a Bill "To amend the Constitution of the State, so far as to disqualify for



seats in the General Assembly, all persons as shall be Presidents or Directors of any Banking Institution.

Mr. A. S. WALLACE presented the Report of the Committee on Pensions on the claim of Nancy Bailey.

Mr. MIDDLETON presented the Report of the Committee of Ways and Means on the Annual Report of the Wilmington and Manchester Railroad Company;

Also, the Report of the same Committee on the petition of J. H. and P. S. Felder.

Mr. MCGOWAN presented the Report of the Committee on the Military on a Bill from the Senate to exempt all ministers of the Gospel from the performance of ordinary patrol duty.

Mr. TROTTI presented the Report of the Committee on the Judiciary on a Bill from the Senate to punish assaults committed with concealed weapons.

Mr. B. H. WILSON presented the Report of the same Committee on a Bill from the Senate to alter the time of holding the Courts of Equity for the Second Circuit.

Mr. READ presented the Report of the Committee on Colored Population on the presentment of the Grand Jury of Charleston District.

Mr. BOYSTON presented the Report of the Committee on the Judiciary on memorial of R. L. Bryan;

Also, the Report of the same Committee on the Report of the Senate's Committee on the Judiciary on the memorial of R. L. Bryan; which were severally ordered for consideration to-morrow.

The SPEAKER laid before the House the account of the Clerk of the House of Representatives for stationery; which was referred to the Committee on Claims.

On motion, leave of absence for the remainder of the session was granted to Mr. W. D. STEELE.

Pursuant to notice, Mr. J. C. WHALEY moved that the seventy-fourth Rule of the House be suspended for this day; which was considered immediately, and the question being put: Will the House agree thereto? Messrs. Whaley and McCrady were appointed Tellers, and it passed in the affirmative—ayes, 68; nays, 18.

On motion of Mr. THOMSON, the message from the Senate asking leave to amend the report of the Committee on Claims on the part of the Senate's Committee on the account of Dr. W. B. Nott; was taken up, and leave to amend was refused, and a message accordingly sent to the Senate.

Mr. HAMPTON presented the account of A. Palmer; which was referred to the Committee on Claims.

Mr. J. C. WHALEY presented the memorial of a Committee of the Agricultural Society of St. Paul's Parish in relation to the law against employing

slaves without permission ; which was referred to the Committee on Colored Population.

Mr. JONES presented the petition of Jacob Pressnell, praying to be placed on pension roll ; which was referred to the Committee on Pensions.

Mr. M. J. KIRK offered the following resolution, which was ordered for consideration to-morrow :

*Resolved*, That the Governor be authorized and required to employ an Engineer for the purpose of surveying Coosawhatchie Swamp, and reporting to this General Assembly at its next session the estimate of the probable cost of making said streams navigable for rafts.

Mr. P. C. KIRK asked and obtained leave to withdraw from the files of the House the petition of Dr. Theodore Gaillard and others, praying that the Escheated Estates of George Broad be vested in the said Dr. T. Gaillard.

Mr. KERSHAW offered the following resolution, which was considered immediately, agreed to, and a message accordingly sent to the Senate :

*Resolved*, That this House do appoint the usual Committee of Investigation on the Bank of the State and its branches, and that a message be sent to the Senate requesting the appointment of a similar Committee on the part of that body to unite with the Committee of this House in the discharge of that duty ;

Whereupon the SPEAKER appointed the following Committees :

For Camden : J. B. KERSHAW, S. W. WITHERSPOON, W. S. MULLINS.

Columbia : WADE HAMPTON, Jr., R. B. BOYLSTON, C. D. MELTON.

Charleston : F. D. RICHARDSON, JAMES W. HARRISON, WINCHESTER GRAHAM.

Mr. B. H. WILSON presented the memorial of sundry citizens of Georgetown, praying for the charter of a Bank ; which was referred to the Committee of Ways and Means.

Mr. TROTTI offered the following resolution, which was considered immediately, and agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the Trustees of the South Carolina College be required to have Mr. Calhoun's work on Government used as a text-book in that Institution.

Mr. CUNNINGHAM called for the

### SPECIAL ORDER.

The House resumed the consideration of " A Bill to authorize aid to the Blue Ridge Railroad in South Carolina ;" being the Special Order of the day for this day, at twelve o'clock, M.

The Senate attended and joined this House in a ballot for United States Senator.

Progress having been made in the consideration of the Special Order,

Under the order of the House, business was suspended at four o'clock, P. M. until seven o'clock, P. M.

### RECESS.

When the SPEAKER took the Chair, Mr. TUCKER announced that Mr. J. Winsmith, member elect from Spartanburg, was present, and ready to be sworn, whereupon the member appeared at the Clerk's desk, was sworn, and took his seat.

The House resumed the consideration of the

### SPECIAL ORDER,

Being a Bill to authorize aid to the Blue Ridge Railroad in South Carolina.

Mr. MULLINS offered the following amendment as an additional section to the Bill :

That no portion of the funds subscribed by the State, or raised by a sale of the bonds endorsed by the State, shall be expended within the limits of the State, until the road shall be completed within the State.

Mr. MEMMINGER moved that the amendment be ordered *to lie on the table*, and the question being put, Will the House agree thereto? it passed in the affirmative :

Yeas, 67—Nays, 49.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker, and

|                   |              |            |
|-------------------|--------------|------------|
| Messrs. Ambler,   | Dorn,        | Landrum,   |
| Anderson,         | Duncan,      | Lewis,     |
| Bailey,           | Furman,      | McBee,     |
| Blanding,         | Grisham,     | McCady,    |
| Blum,             | Hampton,     | McGowan,   |
| Boykin,           | Harrington,  | McKensie,  |
| Boylston,         | Harrison,    | McKnight,  |
| Bratton,          | Hearst,      | Memminger, |
| Bryan,            | Herndon,     | Middleton, |
| Bryce,            | Holston,     | Mitchell,  |
| Campbell,         | Horlbeck,    | Mobley,    |
| Cunningham,       | Kershaw,     | Moragne,   |
| DeSaussure, W. D. | King,        | Noble,     |
| DeSaussure, W. G. | Kirk, P. C., | O'Bryan,   |

|               |                    |                |
|---------------|--------------------|----------------|
| Peoples,      | Siegling,          | Wagner,        |
| Perry, B. F., | Simons, T. Y., Jr. | Whaley, B. J., |
| Pope,         | Steele,            | Whaley, J. C., |
| Porcher,      | Thomson,           | Whiting,       |
| Randall,      | Trotti,            | Wilson, B. H.  |
| Read,         | Toomer,            | Wilson, John,  |
| Rebb,         | Trenholm,          | Wilkes,        |
| Richardson,   | Wallace, Wm.,      | Witherspoon.   |

Those who voted in the negative are

|                 |               |                 |
|-----------------|---------------|-----------------|
| Messrs. Beatty, | Irby,         | Rowell,         |
| Bowers,         | Johnson,      | Rumph,          |
| Bush,           | Jones,        | Sanders,        |
| Butler,         | Kilgore,      | Seabrook,       |
| Clarke,         | Kirk, M. J.,  | Simpson,        |
| Clawson,        | Lowry,        | Spain,          |
| Crosson,        | McQueen,      | Sullivan,       |
| Dantzler,       | Melton,       | Thornwell,      |
| Felder,         | Metts,        | Tillman,        |
| Fox,            | Miller,       | Tobin,          |
| Gill,           | Munro,        | Trimmier,       |
| Graham,         | Moorer,       | Tucker,         |
| Hammond,        | Mooney,       | Wallace, A. S., |
| Hart,           | Mullins,      | Wilson, W. B.,  |
| Haynsworth,     | Petty, J. B., | Williams,       |
| Henderson,      | Rice,         | Winsmith.       |
| Hope,           |               |                 |

The question being put, shall the Bill be ordered to be sent to the Senate?  
it passed in the affirmative.

Yeas, 65—Nays, 52,

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker, and

|                 |             |                  |
|-----------------|-------------|------------------|
| Messrs. Ambler, | Bratton,    | DeSaussure, W.D. |
| Anderson,       | Bryan,      | DeSaussure, W.G. |
| Blanding,       | Bryce,      | Dorn,            |
| Blum,           | Campbell,   | Duncan,          |
| Boylston,       | Cunningham, | Eppe,            |

|             |               |                    |
|-------------|---------------|--------------------|
| Furman,     | McKnight,     | Simons, T. Y., Jr. |
| Graham,     | Memminger,    | Steele,            |
| Grisham,    | Middleton,    | Sullivan,          |
| Hampton,    | Mitchell,     | Thomson,           |
| Harrington, | Mobley,       | Trotti,            |
| Harrison,   | Moragne,      | Toomer,            |
| Hearst,     | Noble,        | Trenholm,          |
| Herndon,    | O'Bryan,      | Wallace, Wm.,      |
| Holston,    | Perry, B. F., | Wagner,            |
| Horlbeck,   | Pope,         | Whaley, B. J.,     |
| Kershaw,    | Randall,      | Whaley, J. C.,     |
| King,       | Read,         | Whiting,           |
| Landrum,    | Rebb,         | Wilson, B. H.      |
| Lewis,      | Richardson,   | Wilson, John,      |
| MoBee,      | Seabrook,     | Wilkes,            |
| McCrary,    | Siebling,     | Witherspoon.       |
| McGowan,    |               |                    |

Those who voted in the negative are

|                 |              |                 |
|-----------------|--------------|-----------------|
| Messrs. Bailey, | Irby,        | Perry, J. B.    |
| Beaty,          | Johnson,     | Porcher,        |
| Bowers,         | Jones,       | Rice,           |
| Boykin,         | Kilgore,     | Rowell,         |
| Bush,           | Kirk, P. C., | Rumph,          |
| Butler,         | Kirk, M. J.  | Sanders,        |
| Clarke,         | Lowry,       | Simpson,        |
| Clawson,        | McKensie,    | Spain,          |
| Crosson,        | McQueen,     | Thornwell,      |
| Dantaler,       | Melton,      | Tillman,        |
| Felder,         | Metts,       | Tobin,          |
| Fox,            | Miller,      | Trimmier,       |
| Gill,           | Munro,       | Tucker,         |
| Hammond,        | Moorer,      | Wallace, A. S., |
| Hart,           | Mooney,      | Wilson, W. B.,  |
| Haynesworth,    | Mullins,     | Williams,       |
| Henderson,      | Peoples,     | Winamith.       |
| Hope,           |              |                 |

The Bill was then ordered to be sent to the Senate.

A Bill to amend an Act entitled "An Act to authorize the formation of the Savannah River Valley Railroad Company, and for other purposes; which had been made the Special Order of the day for this day at 3 o'clock,

P. M., was, on motion of Mr. CUNNINGHAM, discharged; and the same was made the Special Order of the day for to-morrow, at half-past eleven o'clock, A. M.

The Report of the Judiciary Committee on the propriety of establishing a separate Court of Appeals; together with the minority Report on the same subject, respecting a Bill to establish a separate Court of Appeals, which had been made the Special Order of the day for this day, at 7 o'clock, P. M., was, on motion of Mr. MITCHELL, discharged; and the same was made the Special Order of the day for to-morrow, at half-past 12 o'clock.

On motion of Mr. CUNNINGHAM, it was ordered that when this House adjourns it shall be adjourned till to-morrow, at 11 o'clock, A. M.

On motion of Mr. CUNNINGHAM, the House was adjourned at forty-five minutes past 9 o'clock, P. M.

## SATURDAY, DECEMBER 16, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The following message was received from the Senate :

IN THE SENATE, December 16, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully concurs with the proposal of your House to appoint a Committee on the part of the Senate to unite with Committee of your House to investigate the Bank of the State at Charleston, the Branch of the Bank at Columbia, and the Branch of the Bank at Camden, and have appointed Messrs. JOHNSON and SCOTT for the Bank at Charleston; Messrs. MORDCAI and MCALILEY for the Branch of the Bank of the State at Columbia, and Messrs. WITHERSPOON and MOSES for the Branch of the Bank of the State at Camden.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

The following message was received from the Senate :

IN THE SENATE, December 15, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate insists upon asking leave of your House to amend the Report of

the Committee on Claims of your House, on the account of Dr. W. B. Nott for *post mortem* examination and for mileage, by striking out eleven dollars for the purpose of inserting twenty-one dollars.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

On motion of Mr. THOMSON, it was ordered that this House insist on refusing to grant leave to the Senate to amend the Report on the account of W. B. Nott; and that a message be sent to the Senate proposing the appointment of a Committee of Conference;

Whereupon, the SPEAKER appointed Messrs. THOMSON, TRIMMER and JONES, of the Committee on the part of this House.

The Senate sent to this House the following Bills, which were read the first time:

A Bill to authorize the sale of certain lots, and for other purposes, was referred to the Committee on the Military;

A Bill to incorporate the Merchant's Mutual Insurance Company, was referred to the Committee on Incorporations;

A Bill to authorize the State to aid in the construction of the Charleston and Savannah Railroad, was referred to the Committee of Ways and Means;

Also, a Resolution in relation to the claim of the Legionaries of Luxembourg, which was ordered for consideration on Monday next.

Mr. MCGOWAN, from the Committee appointed to count the ballots for United States Senator, reported that Hon. A. P. BUTLER had received a majority of the votes cast, and was consequently elected;

Whereupon, the SPEAKER announced that Hon. A. P. BUTLER was duly elected United States Senator.

The SPEAKER called for Reports of Standing Committees and of Special Committees.

Mr. PERRY, from the Committee on Internal Improvements, made Reports

On the Report of the Commissioner of Public Works;

On a Bill to allow the Town Council to use the water from the Columbia Canal, and for other purposes;

On a Bill to provide for the preservation of the records of the office of the Superintendent of Public Works;

On a Bill from the Senate to regulate the navigation of Horse Creek, in Edgefield district;

On a Bill from the Senate to promote the draining and improvement of Inland Swamps;

On the petition of sundry citizens of St. Bartholemew's, praying the opening of Little Saltketcher River;

On the petition of sundry citizens of St. Bartholomew's Parish, praying Fish Pond Swamp and other swamps be declared navigable streams;

On a Bill to declare Little Saltketcher navigable between the junction of Big and Little Saltketcher and Carter's Ford; which were severally ordered for consideration on Monday next.

Mr. SULLIVAN presented the Report of the Committee on Education

On a memorial of Palmetto Lodge No. 5, I. O. O. F., of Columbia, S. C.; and

On Bill to vest in Palmetto Lodge No. 5, I. O. O. F., of Columbia, the title to a certain lot in said town;

Also, Report of the same Committee on a Bill to vest in the several Boards of Commissioners of Free Schools the vacant lands in their respective Districts and Parishes, and for other purposes; which were severally ordered for consideration on Monday next.

Mr. THOMSON presented the Report of the Committee on Claims on the account of John T. Sloan, Clerk of the House of Representatives;

Also, the Reports of the same Committee on Reports of the Committee on Claims and Grievances of the Senate

On the account of McCarter, Allen & Co.;

On the account of the Charleston Mercury;

On the account of W. W. Purse; which were severally ordered for consideration on Monday next;

Mr. MIDDLETON presented the Report of the Committee of Ways and Means on the petition of Joseph Williams to be repaid a tax;

Also, the Report of the same Committee on a Bill to classify the lands in the Catawba Indian Boundary, in York and Lancaster Districts, and to tax them as other lands in said Districts, and for other purposes; which were severally ordered for consideration on Monday next.

Mr. HAMPTON presented the Report of the Committee on the Lunatic Asylum on the Report of the Regents, and so much of the Governor's Message as relates thereto; which, on motion of Mr. HAMPTON, was ordered to be printed, and was made the Special Order of the day for Monday next, at 7 o'clock, P. M.

On motion of Mr. HARRISON, the House proceeded to the consideration of the

#### SPECIAL ORDER.

A Bill to amend an Act, entitled "An Act to authorize the formation of the Savannah River Valley Railroad Company, and to grant aid in the construction of their Road; which had been made the Special Order of the day for this day, at half-past 11 o'clock, A. M.; was then taken up and read the second time; and the question being put, shall this Bill be sent to the Senate? it passed in the affirmative.



Yeas, 88—Nays, 24.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker ; and

|                  |               |                    |
|------------------|---------------|--------------------|
| Messrs. Ambler,  | Hearst,       | Pope,              |
| Anderson,        | Henderson     | Porcher,           |
| Bailey,          | Herndon,      | Read,              |
| Blanding,        | Holston,      | Bebb,              |
| Blum,            | Johanson,     | Rice,              |
| Boykin,          | Kershaw,      | Richardson,        |
| Boylston,        | King,         | Rowell,            |
| Bryce,           | Kirk, P. C.,  | Sanders,           |
| Buah,            | Kirk, M. J.,  | Seabrook,          |
| Butler,          | Landrum,      | Simons, T. Y., Jr. |
| Campbell,        | Lewis,        | Simpeon,           |
| Clarke,          | McCrady,      | Spain,             |
| Clawson,         | McGowan,      | Sullivan,          |
| Cordes,          | McKnight,     | Thompson,          |
| Cunningham,      | McQueen,      | Thornewell,        |
| DeSaussure, W.D. | Melton,       | Tillman,           |
| DeSaussure, W.G. | Memminger,    | Tobin,             |
| Dorn,            | Metts,        | Toomer,            |
| Epps,            | Middleton,    | Trenholm,          |
| Farman,          | Mitchell,     | Trimmer,           |
| Gill,            | Mobley,       | Wallace, Wm.,      |
| Graham,          | Munro,        | Wagner,            |
| Green,           | Mooney,       | Whaley, B. J.,     |
| Grisham,         | Moragne,      | Wilson, B. H.,     |
| Hammond,         | Mullins,      | Wilson, John,      |
| Hampton,         | Noble,        | Wilson, W. B.      |
| Hart,            | O'Bryan,      | Williams,          |
| Harrison,        | Peoples,      | Wilkes,            |
| Haynesworth,     | Perry, J. B., | Witherspoon.       |

Those who voted in the negative are

|                |             |          |
|----------------|-------------|----------|
| Messrs. Beaty, | Dantzier,   | Irby,    |
| Bowers,        | Duncan,     | Jones,   |
| Bratton,       | Felder,     | Kilgore, |
| Bryan,         | Fox,        | Lowry,   |
| Crosson,       | Harrington, | McBee,   |

McKenzie,  
Miller,  
Mooney,

Perry, B. F.,  
Rumph,  
Tucker,

Wallace, A. S.,  
Whaley, J. C.,  
Winamith.

On motion of Mr. MITCHELL, the House proceeded to the consideration of the.

### SPECIAL ORDER.

The Report of the Judiciary Committee on the propriety of establishing a separate Court of Appeals;

Also, the minority Report of the same Committee, reporting a Bill to establish a separate Court of Appeals; was taken up, and on motion of Mr. THORNWELL, the same was discharged, and made the special order of the day for the first Thursday after the fourth Monday in November next at 1 o'clock, P. M.

Mr. BRYCE presented the report of the Committee on Claims on the account of Doxter & Tarbox; which was ordered for consideration on Monday next.

On motion of Mr. T. Y. SIMONS, Jr., leave of absence for the remainder of the session was granted to Mr. J. MURRAY.

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to alter and amend the law in relation to the jurisdiction of Magistrates; reported on by the Committee on the Judiciary, was taken up.

Mr. MULLINS moved to strike out the second section of the Bill.

Mr. THORNWELL offered the following proviso as an amendment:

"*Provided*, That the freeholders so summoned shall be allowed each one dollar and fifty cents per diem, to be paid by the party failing in the suit."

Mr. THOMSON moved that the Bill, together with the amendments proposed, be ordered to lie on the table: and the question being put, Will the House agree thereto? it passed in the affirmative:

Yeas, 61—Nays, 42.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are,

Hon. JAMES SIMONS, Speaker, and

Messrs. Blanding,  
Blum,  
Boykin,

Boylston,  
Bratton,  
Bryan,

Bryce,  
Clarke,  
Clawson,

|                  |              |                     |
|------------------|--------------|---------------------|
| Cordes,          | King,        | Rumpf,              |
| Crosen,          | Kirk, P. C., | Siegling,           |
| Cunningham,      | Landrum,     | Simons, T. Y., Jr., |
| DeSausure, W. D. | McBee,       | Simpson,            |
| DeSausure, W. G. | McCrary,     | Spain,              |
| Dorn,            | McGowan,     | Sullivan,           |
| Farman,          | Memminger,   | Thomson,            |
| Green,           | Mitchell,    | Thornwell,          |
| Hampton,         | Munro,       | Trenholm,           |
| Hart,            | Mooney,      | Wallace, Wm.,       |
| Harrison,        | Moragne,     | Wagner,             |
| Haynesworth,     | Noble,       | Whaley, B. J.,      |
| Hearst,          | Pope,        | Whaley, J. C.,      |
| Henderson,       | Porcher,     | Whiting,            |
| Holston,         | Read,        | Wilson, B. H.,      |
| Jones,           | Rebb,        | Wilson, W. B.,      |
| Kershaw,         | Richardson,  | Witherspoon.        |

Those who voted in the negative are,

|                 |               |                 |
|-----------------|---------------|-----------------|
| Messrs. Ambler, | Johnson,      | Perry, J. B.,   |
| Anderson,       | Kilgore,      | Rice,           |
| Beaty,          | Lowry,        | Rowell,         |
| Bowers,         | McKensie,     | Sanders,        |
| Butler,         | McKnight,     | Seabrook,       |
| Charles,        | McQueen,      | Tillman,        |
| Dantzler,       | Melton,       | Tobin,          |
| Epps,           | Metts,        | Toomer,         |
| Fox,            | Miller,       | Trimmier,       |
| Graham,         | Mobley,       | Tucker,         |
| Grisham,        | Mullins,      | Wallace, A. S., |
| Hammond,        | O'Bryan,      | Wilson, John,   |
| Harrington,     | Peebles,      | Williams,       |
| Irby,           | Perry, B. F., | Winsmith.       |

A Bill to reduce all Acts and clauses of Acts, exempting property from levy and sale for debt, to one Act, and to alter and amend the same; reported on by the Committee on the Judiciary; and

A Bill to repeal an Act, entitled "An Act to increase the amount of property exempt from levy and sale, and for other purposes; reported by the same Committee, were ordered to lie on the table.

The Report of the Committee on the Judiciary

On the petition of John Tolle and Anne E. Lips, to vest in them certain

excheated lands in the city of Charleston, was considered and agreed to, and ordered to be sent to the Senate for concurrence.

Under the order of the House, business was suspended at 4 o'clock, P. M., until 7 o'clock, P. M.

### RECESS.

When the SPEAKER took the Chair,

Mr. MIDDLETON offered the following resolution, which was considered immediately, and was agreed to :

*Resolved*, That for this evening a priority be given to Bills in their order on the Calendar, so that no Reports be considered until the Bills be disposed of.

The Senate sent to this House a Bill to amend an Act, entitled "An Act for the establishment of a general system of Registration of Births, Marriages and Deaths, passed 20th December, 1853 ; which was read the first time, and referred to the Medical Committee.

The following Bills were read the second time, and ordered to be sent to the Senate :

A Bill to vest the title of the State in certain excheated property therein mentioned, in certain persons therein named ;

A Bill to incorporate the Columbia Machine Works ;

A Bill to incorporate certain Religious and Charitable Societies, and Societies for the Advancement of Education, and to renew and amend the Charters of others heretofore granted ;

A Bill to incorporate certain Societies, Associations and Companies, and to renew and amend the Charters of others ;

A Bill to renew and amend the Charters of certain towns and villages heretofore incorporated ;

A Bill to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the capital stock of Railroads, Plank Roads and Canal Companies, and to confirm the subscriptions heretofore made by them ;

A Bill to amend the Charter of the Wilmington and Manchester Railroad Company ;

A Bill to extend and renew the Charter of the Town of Yorkville ;

The Report of the Committee on Federal Relations, on a Bill to authorize the United States to purchase certain parcels of land in this State, for the erection of Light Houses and Beacon Lights, and for other purposes, was taken up ; and the Report, together with the Bill, was ordered to lie on the table ;

A Bill from the Senate to authorize the United States to purchase certain parcels of land in this State, for the erection of Light Houses and Beacon

Lights, was read the second time, and ordered to be returned to the Senate.

On motion of Mr. B. H. WILSON, it was ordered, that when this House adjourns, it shall be adjourned till 11 o'clock, A. M., on Monday next.

Mr. MIDDLETON presented the Report of the Committee of Ways and Means

On a Bill from the Senate to authorize the State to aid in the construction of the Charleston and Savannah Railroad; which was ordered for consideration on Monday next.

On motion of Mr. B. H. WILSON, the House was adjourned at thirty-seven minutes past 9 o'clock, P. M.

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## MONDAY, DECEMBER 18, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House a resolution, as to a Commission to revise the Criminal Law of this State; which was ordered for consideration tomorrow.

The Senate returned to this House the following Bill, which was read the third time: A Bill to authorize and empower the Commissioners of the Orphan House of Charleston to select the number of youths therein mentioned from those educated and maintained on the bounty of that institution, who shall be allowed to complete their education at the Military Schools established by this State; with the following proviso as an amendment to the first section:

*“Provided, That it does not increase the number to which Charleston District is now entitled; and the question being put, Will the House agree to the amendment, Messrs. Noble and W. G. DeSaussure were appointed Tellers, and it passed in the affirmative; Yeas, 36—Nays, 27.*

*Resolved, That the Bill do pass; that the title thereof be changed; that it be called an Act; ordered, that it be sent to the Senate.*

The SPEAKER called for reports of Standing Committees and of Special Committees.

Mr. MIDDLETON, from the Committee of Ways and Means, made Reports:

On so much of the Governor's Message as relates to the Finances of the State;

On a Bill from the Senate to amend an Act to re-charter the Merchants' Bank of South Carolina at Cheraw;

On a resolution directing enquiry as to the expediency of continuing appropriation of railway-dividends to deepening Sullivan's Island Channel;

On a resolution from Senate appropriating two hundred dollars for Transient Poor of Beaufort;

On a Bill from the Senate to amend the charter of the Bank of the State of South Carolina; which were severally ordered for consideration to-morrow.

Mr. MIDDLETON, from the same Committee, to whom it had been referred to inquire into the propriety of increasing compensation of members of the General Assembly, made a Report, and reported a Bill; which was read the first time and ordered to be read the second time to-morrow.

Mr. SULLIVAN, from the Committee on Education made Reports

On the presentment of the Grand Jury of Pickens District in relation to Annual Returns of Commissioners of Free Schools;

On the Report of the Attorney General on the condition of the debt of Bernard E. Bee to Ludlam School Fund, and the Report of the Treasurer of said Fund;

On resolution of enquiry as to the distribution of the Free School Fund;

On the Report of the Commissioners of the Deaf and Dumb of the Upper Division; which were severally ordered for consideration to-morrow.

Mr. SULLIVAN, from the same Committee, to whom had been referred the memorial of Dr. R. W. Gibbes in relation to Documentary History, made a Report; which was considered immediately and agreed to, and ordered to be sent to the Senate for concurrence.

Mr. MCGOWAN presented Reports of the Committee on the Military

On the petition of the 28d Regiment for a parade ground;

On a Bill to authorize the sale of certain lots and for other purposes;

On the petition of the State Rights' Artillery, praying appropriation for constructing a house for a piece of Ordnance; which were severally ordered for consideration to-morrow.

Mr. TUCKER presented the Report of the Committee on Incorporations on a Bill from the Senate to incorporate the Merchants' Mutual Insurance Company; which was ordered for consideration to-morrow.

Mr. THOMSON, from the Committee on Claims, made Reports

On the Report of Commissioners assessing damages to Osborne Mauldin;

On the petition of H. Boulware;

On the account of Thomas L. Gelzer;

On the Report of the Committee on Claims and Grievances of the Senate on the petition of John L. Peterson; which were severally ordered for consideration to-morrow.

Mr. W. G. DESAUSSURE presented the Report of the Committee on

the Judiciary on a Bill to make malicious trespass indictable; which was ordered for consideration to-morrow.

Mr. MULLINS presented the Report of the Committee on Public Buildings on the presentment of the Grand Jury of Charleston District with regard to a new jail;

Also, the Report of the same Committee on the petition of Commissioners of Public Buildings of Chesterfield District for money expended in the erection of a new jail; which were severally ordered for consideration to-morrow.

Mr. M. J. KIRK asked and obtained leave to withdraw from the files of the House the account of Dr. O. P. Bealer.

Mr. BOYKIN presented the following Resolution; which was considered immediately and agreed to:

*Resolved*, That Commodore STROCKRON, of New Jersey, a distinguished statesman and soldier, be invited within the Bar of this House, and a seat be provided for him.

Mr. THOMSON asked and obtained leave to withdraw from the files of the House the account of S. A. Hodges.

Mr. BAILEY asked and obtained leave to withdraw from the files of the House the account of T. L. Ogier.

Mr. B. H. WILSON asked and obtained leave to withdraw from the files of the House the petition of Dr. W. C. Miller.

Mr. MOBLEY asked and obtained leave to withdraw from the files of the House the account of Dr. H. R. Godman.

Mr. POPE offered the following Resolution, which was considered immediately and agreed to, and a message was accordingly sent to the Senate:

*Resolved*, That a message be sent to the Senate proposing to that body to go into an election for President and Directors of the Bank of the State to-morrow, at 12 o'clock, M.

On motion of Mr. DANTZLER, leave of absence for the remainder of the Session was granted to Mr. J. B. PERRY.

Mr. SPAIN offered the following Resolution; which was considered immediately, agreed to, and ordered to be sent to the Senate for concurrence:

*Resolved*, That the Clerks of the Senate and House of Representatives be, and they are hereby, authorized and required to collect from the Journals, Reports and Resolutions of the Senate and House of Representatives, all the Reports of the Committees on Privileges and Elections in both branches of the Legislature on the subject of contested elections; and after said collections are made, that they be authorized and required to have said Reports printed and bound together, and that fifty copies thereof be placed for reference in the Legislative Library; and that the said compilation shall embrace the laws and resolutions in force as to elections.

Mr. MULLINS offered the following Resolution; which was ordered for consideration to-morrow :

*Resolved*, That a Message be sent to the Senate, asking leave of that body to amend the Resolution adjourning this session of the General Assembly, so that when the Legislature adjourns, it will stand adjourned to meet on the third Monday in November next.

The following message was received from the Senate :

IN THE SENATE, December 18, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully concurs in the proposal of your House to go into an election for President and Directors of the Bank of the State to-morrow, at 12 o'clock, M.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

The House then proceeded to the consideration of the

### GENERAL ORDERS.

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and fifty-four, was taken up for a second reading.

Mr. SPAIN moved to strike out "twenty" and insert "thirty" in the twenty-third line of the Bill; and the question being put, Will the House agree thereto? Messrs. Spain and McGowan were appointed Tellers, and it passed in the affirmative; Yeas, 59—Nays, 30.

Mr. SPAIN moved to strike out "twenty" and insert "ten" in the thirty-second line of the Bill; and the question being put, "Will the House agree thereto? Messrs. Spain and McGowan were appointed tellers, and it passed in the affirmative; Yeas, 52—Nays, 42.

The Bill was then ordered to be sent to the Senate.

Mr. MIDDLETON gave notice that he would offer sundry amendments to this Bill on the third reading.

The SPEAKER announced that Mr. J. WINSMITH was added to the Committee of Ways and Means.

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and fifty-four, was taken up for a second reading.

Mr. TOOMER offered the following amendment as an addition to the fifth section of the Bill :

"For the support of Charleston College, five thousand dollars; for the support of Erskine College, in the town of Due West, Abbeville District, five thousand dollars, for the support of the Furman University, in the



town of Greenville, five thousand dollars; for the support of Wofford College, in the town of Spartanburg, five thousand dollars; said amounts to be paid to the Agents or Treasurers of said institutions by the Treasurer of that division of the State in which they are respectively located."

Mr. BOYLSTON moved to amend the amendment by inserting "five thousand dollars for Mount Zion College at Winnsboro."

Mr. HARRISON moved to amend by inserting "Five thousand dollars to the Anderson Female College; five thousand dollars to the Johnson Female University, at Anderson; five thousand dollars for the Masonic Female College at Cokesbury, Abbeville District."

Mr. RICE moved to amend by inserting "five thousand dollars for St. Mary's College, at Columbia."

Mr. HOPE moved to amend by inserting "five thousand dollars to the Evangelical Lutheran Seminary and proposed College at Lexington village."

Mr. McKNIGHT moved to amend by inserting, "five thousand dollars to endow a Woman's Rights College in Williamsburg District."

Mr. POPE moved to amend by inserting, "five thousand dollars for the Beaufort College."

Mr. W. B. WILSON moved to amend by inserting, "five thousand dollars for the Yorkville Female Seminary, at Yorkville."

Mr. HAMPTON moved to lay the amendment, together with the proposed amendments thereto, on the table; and the question being put, Will the House agree thereto? it passed in the affirmative;

Yeas, 101—Nays, 4.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker, and

|                 |                  |             |
|-----------------|------------------|-------------|
| Messrs. Ambler, | Cauthen,         | Epps,       |
| Anderson,       | Charles,         | Felder,     |
| Bailey,         | Clarke,          | Fox,        |
| Beaty,          | Clawson,         | Furman,     |
| Blanding,       | Cordes,          | Gill,       |
| Bowers,         | Crosson,         | Graham,     |
| Boykin,         | Cunningham,      | Green,      |
| Boylston,       | Dantsler,        | Grisham,    |
| Bryan,          | DeSaussure, W.D. | Hammond,    |
| Bryce,          | DeSaussure, W.G. | Hampton,    |
| Bush,           | Dorn,            | Hart,       |
| Butler,         | Duncan,          | Harrington. |

Harrison,  
Haynesworth,  
Henderson,  
Herdon,  
Holston,  
Hope,  
Irby,  
Johnson,  
Jones,  
Kershaw,  
Kilgore,  
King,  
Kirk, P. C.,  
Kirk, M. J.  
Landrum,  
Lowry,  
McBee,  
McCrary,  
McGowan,  
McQueen,  
Melton,  
Memminger,

Metts,  
Middleton,  
Miller,  
Nobley,  
Moorer,  
Mooney,  
Moragne,  
Mullins,  
Noble,  
O'Bryan,  
Perry, B. F.,  
Pope,  
Randall,  
Read,  
Rebb,  
Rice,  
Richardson,  
Rowell,  
Rumph,  
Seabrook,  
Simons, T. Y., Jr.

Simpson,  
Spain,  
Sullivan,  
Thornwell,  
Tillman,  
Tobin,  
Toomer,  
Trimmier,  
Tucker,  
Wallace, A. S.,  
Wallace, Wm.,  
Wagner,  
Whaley, B. J.,  
Whaley, J. C.,  
Wilson, B. H.  
Wilson, John,  
Wilson, W. B.,  
Williams,  
Wilkes,  
Winsmith.  
Witherspoon.

Those who voted in the negative are—

Messrs. Hearst,  
McKnight,

Peeples,

Thomson.

Mr TUCKER moved the following amendment as an addition to the fifth section of the Bill:

“For the support of the Charleston College, five thousand dollars; for the support of Erskine College, Due West, Abbeville District, five thousand dollars; for the support of the Furman University, Greenville, South Carolina, five thousand dollars; for the support of Wofford College, Spartanburg, South Carolina, five thousand dollars; said amounts to be paid over to the order of the agents or treasurers of the respective institutions by the treasurers of the upper and lower divisions within which said institutions are respectively located.”

Mr. BOYLSTON moved to amend the amendment by inserting, “for the Mount Zion Academy at Winnsboro, five thousand dollars.”

Mr. MULLINS moved to lay the amendment, together with the amendment thereto on the table; and the question being put, Will the House agree thereto? it passed in the affirmative;

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

| Hon. JAMES SIMONS, Speaker, and |              |                     |
|---------------------------------|--------------|---------------------|
| Messrs. Anderson,               | Hart,        | Mullins,            |
| Bailey,                         | Harrington,  | Noble,              |
| Beaty,                          | Harrison,    | Peeples,            |
| Blanding,                       | Haynesworth, | Pope,               |
| Blum,                           | Henderson,   | Randall,            |
| Boykin,                         | Herndon,     | Read,               |
| Boylston,                       | Holston,     | Rice,               |
| Bryan,                          | Hope,        | Richardson,         |
| Bush,                           | Irby,        | Rowell,             |
| Butler,                         | Johnson,     | Rumph,              |
| Charles,                        | Jones,       | Seabrook,           |
| Clarke,                         | Ketchaw,     | Simons, T. Y., Jr., |
| Clawson,                        | King,        | Simpson,            |
| Cordes,                         | Landrum,     | Spain,              |
| Crosson,                        | Lowry,       | Sullivan,           |
| Dantaler,                       | McCrady,     | Thornwell.          |
| DeSaussure, W. D.               | McGowan,     | Tillman,            |
| DeSaussure, W. G.               | McQueen,     | Tobin,              |
| Dorn,                           | Melton,      | Wallace, Wm.,       |
| Felder,                         | Memminger,   | Wagner,             |
| Fox,                            | Metts,       | Whaley, J. C.,      |
| Furman,                         | Middleton,   | Wilson, B. H.,      |
| Gill,                           | Mobley,      | Wilson, John        |
| Graham,                         | Munro,       | Wilson, W. B.       |
| Green,                          | Moorer,      | Williams,           |
| Hammond,                        | Moragne,     | Witherspoon.        |
| Hampton,                        |              |                     |

Those who voted in the negative are

|                  |               |                 |
|------------------|---------------|-----------------|
| Messrs. Cauthen, | Miller,       | Toomer,         |
| Duncan,          | Mooney,       | Trimmier,       |
| Epps,            | Perry, B. F., | Tucker,         |
| Hearst,          | Rebb,         | Wallace, A. S., |
| Kilgore,         | Sanders,      | Whaley, B. J.,  |
| McBee,           | Thomson,      | Wilkes.         |
| McKnight,        |               |                 |

Mr. WINSMITH asked leave to record the vote he would present on the motion to lay the amendments on the table; being called, he answered aye.

Mr. BRYOE asked leave to record the vote he would have on the motion to lay the amendments on the table; and being called, he answered aye.

The Bill was then ordered to be sent to the Senate.

Mr. MIDDLETON gave notice that on the third reading would offer sundry amendments.

The consideration of the General Orders was suspended;

Under the order of the House, business was suspended M., until 7 o'clock, P. M.

## RECESS.

Mr. HARRISON presented the Reports of the Committee on Bridges and Ferries

On the petition and counter petition of sundry citizens of District, praying a Charter for Sarratt's Ferry;

On the petition of John Holley, praying change in rates of Ferry, on Saluda River;

On the petition of sundry citizens of Christ Church, praying open a new road;

On the memorial of the City Council of Augusta, praying Charter to the Bridge across Savannah River, at Augusta;

On the petition of Wm. H. Sinkler, praying that Nelson chartered and vested in him;

On the petition of James Gregory and others, praying the public road;

On the petition of sundry citizens of Darlington District, opening of a new road;

On the petition of J. R. Bratton and others, praying leave and counter petition on same subject;

On the petition of sundry citizens of Union and York I leave to H. H. Thompson to erect gates across the Howell which were severally ordered for consideration to-morrow.

On motion of Mr. HARRISON, the Committee on Roads and Ferries were discharged from the consideration of the memorial of sundry citizens of Graniteville and the neighborhood against the Graniteville Manufacturing Company to prohibit the sale of land within three miles of that place;

The petition of the Upper Board of Commissioners of St. George's Parish, praying an amendment of the Road Law;

The presentment of the Grand Jury of Laurens District; and

The presentment of the Grand Jury of Chester District; and the same were referred to the Committee on Grievances.

Mr. B. F. PERRY presented the Report of the Special Joint Committee, to whom were referred various matters relating to the New State Capitol, and the resignation of the Commissioners; which was ordered for consideration to-morrow, and to be printed.

On motion of Mr. THOMSON, leave of absence for the remainder of the session was granted to Mr. BAILEY.

Mr. THOMSON, from the Committee on Claims, made Reports

On the account of T. L. Ogier;

On the account of W. C. Miller;

On the petition of O. P. Bealer;

On the account of E. W. Perry;

On the petition of Samuel Hodges;

On the account of H. R. Godman; which were severally ordered for consideration to-morrow.

Mr. A. S. WALLACE presented the Report of the Committee on Pensions on the petition of Jacob Presnell, praying to be placed on the Pension Roll; which was ordered for consideration to-morrow.

The Senate sent to this House

A Bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company; which was read the first time and referred to the Committee on Incorporations.

On motion of Mr. HAMPTON, the House proceeded to the consideration of the

### SPECIAL ORDER.

The Report of the Committee on the Lunatic Asylum on the Report of the Regents and so much of the Governor's Message as relates thereto, which had been made the Special Order of the day for this day at 7 o'clock, P. M., was taken up, and agreed to, and ordered to be sent to the Senate for concurrence.

The House resumed the consideration of the

### GENERAL ORDERS.

A Bill to establish certain Roads, Bridges, and Ferries, was taken up for a second reading.

Mr. HARRISON moved to strike out the sixth section of the Bill and insert the following: "That the Charter of the Mount Pleasant Ferry Com-

pany be and the same is hereby renewed and extended for fifteen years, with all the rights of ferry between the City of Town of Mount Pleasant, with the same rates of ferriage as by law.

Mr. TOOMER moved to amend the amendment by inserting: " *Provided*, The owners of said Mount Pleasant Ferry keep on hand the necessary labor and other facilities for the use of the traveling community; and failing so to do, that the order hereby made shall therefore cease and determine."

Mr. B. H. WILSON moved that the amendment be ordered to lie on the table; and the question being put, Will the House agree thereto? Messrs. Wagner and McGowan were appointed

Yeas, 25—Nays, 39.

So the House refused to lay the amendment on the table. The question being then put, Will the House agree to the report of Messrs. Cunningham and Perry were appointed tellers, and the question was decided in the affirmative;

Yeas, 39—Nays, 35.

The amendment as amended was then agreed to.

Mr. HARRISON moved the following as an additional Bill:

"That the twenty-seventh section of an Act entitled 'An Act to amend the charter of the City of Augusta, and to renew certain Charters granted,' ratified the twentieth day of December, in the year one thousand eight hundred and fifty-three, be, and the same is hereby amended, so that the charter of the Augusta Bridge is hereby granted to the City of Augusta for the term of fourteen years, with the express condition that the City Council of Augusta shall collect no more or greater toll than shall be necessary to keep said bridge in repair and rebuild the bridge in case of its destruction; *Provided, however*, That this grant shall be subject to amendment, modification, or repeal by the Legislature."

On motion of Mr. MITCHELL, a call of the House was taken.

Mr. CUNNINGHAM moved that the amendment be ordered to lie on the table; and the question being put, Will the House agree thereto? The House refused to lay the amendment on the table:

Yeas, 41—Nays, 54.

The yeas and nays were requested, and are as follows:

**Those who voted in the affirmative are**

|                 |               |                 |
|-----------------|---------------|-----------------|
| Messrs. Ambler, | Epps,         | Richardson,     |
| Anderson,       | Gill,         | Rowell,         |
| Beaty,          | Grisham,      | Rumph,          |
| Bowers,         | Hart,         | Seabrook,       |
| Boyleston,      | Haysworth,    | Simpson,        |
| Bratten,        | Henderson,    | Sullivan,       |
| Bryan,          | Irby,         | Thomson,        |
| Butler,         | Johnson,      | Thornwell,      |
| Campbell,       | Jones,        | Wallace, A. S., |
| Clarke,         | McGowan,      | Whaley, B. J.,  |
| Cordes,         | Metts,        | Whaley, J. C.,  |
| Crosson,        | Middleton,    | Wilson, John,   |
| Cunningham,     | O'Bryan,      | Wilkes,         |
| Dantaler,       | Perry, B. F., |                 |

**Those who voted in the negative are**

**Hon. JAMES SIMONS, Speaker, and**

|                   |              |                |
|-------------------|--------------|----------------|
| Messrs. Blanding, | Kilgore,     | Porcher,       |
| Boykin,           | King,        | Read,          |
| Bush,             | Kirk, P. C., | Rebb,          |
| Clawson,          | Landrum,     | Rice,          |
| DeSausure, W.G.   | Lewis,       | Spain,         |
| Dorn,             | Lowry,       | Tillman,       |
| Duncan,           | McBee,       | Tobin,         |
| Felder,           | McCrady,     | Toomer,        |
| Fox,              | Melton,      | Trenholm,      |
| Furman,           | Memminger,   | Tucker,        |
| Graham,           | Miller,      | Wallace, Wm.,  |
| Green,            | Mitchell,    | Wagner,        |
| Hammond,          | Mobley,      | Wilson, B. H.  |
| Hampton,          | Munro,       | Wilson, W. B., |
| Harrison,         | Mooney,      | Williams,      |
| Hearst,           | Moragne,     | Winsmith.      |
| Holston,          | Mullins,     | Witherspoon.   |
| Hope,             | Noble,       |                |

On motion of Mr. THOMSON, the House was adjourned, at 10 minutes past 11 o'clock, P. M.

TUESDAY, DECEMBER 19, 1854.

At the hour to which the House was adjourned the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the Journal of yesterday's proceedings was read.

The Senate sent to this House a Bill to limit the jurisdiction of Magistrates in small and mean causes, to their respective Beats; and the question being put, Shall this Bill be rejected? it passed in the affirmative.

The SPEAKER called for Reports of Standing Committees and of Special Committees.

Mr. READ presented the Report of the Committee on Colored Population on a Bill from the Senate, more effectually to prevent free negroes and other persons of color from entering into this State; which was ordered for consideration to-morrow.

Mr. TUCKER presented the Report of the Committee on Incorporations on a Bill from the Senate to incorporate the Columbia and Charlotte Magnetic Telegraph Company; which was considered immediately, and the Bill was read the second time and ordered to be returned to the Senate.

On motion of Mr. MIDDLETON, the Committee of Ways and Means were discharged from the further consideration of the petitions of John G. White and T. D. Mathews.

Mr. MIDDLETON asked and obtained leave to withdraw from the files of the House the petition of T. D. Mathews.

Mr. SPAIN asked and obtained leave to withdraw from the files of the House the petition of John G. White.

On motion of Mr. W. G. DESAUSSURE, leave of absence for the remainder of the Session was granted to Mr. J. D. POPE.

Mr. SULLIVAN presented the Report of the Committee on Education, on the Annual Returns of the Commissioners of Free Schools for 1854; which was considered immediately, agreed to, and ordered to be sent to the Senate for concurrence.

Mr. THOMSON gave notice that to-morrow he will ask leave to suspend the sixty-eighth rule of this House.

Mr. HEARST presented the Report of the Medical Committee on a Bill from the Senate to amend an Act for the establishment of a general system of Registration of Births, Marriages and Deaths, passed the 20th December, 1853; which was ordered for consideration to-morrow.

Mr. CROSSON presented the Report of the Committee on Privileges and Elections, on sundry petitions as to establishing and discontinuing certain election precincts; which was ordered for consideration to-morrow.

Mr. SULLIVAN introduced the following Resolution, which was consid-



ered immediately and agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the President and Directors of the Laurens Railroad Company, and their successors in office, be, and they are hereby, appointed proxies to represent the State stock in said Company at all meetings of the Stockholders of said Company, and that this authority continue until revoked by the Legislature.

The Senate returned to this House a Bill to authorize aid to the Blue Ridge Railroad in South Carolina ; which was read the third time.

*Resolved*, That the Bill do pass, that the title thereof be changed, that it be called an Act.

*Ordered*, That it be sent to the Senate.

The House resumed the consideration of the

### GENERAL ORDERS.

A Bill to establish certain Roads, Bridges and Ferries.

The Senate attended and joined the House in a ballot for a President and Directors of the Bank of the State of South Carolina.

The House resumed the consideration of a Bill to establish certain Roads, Bridges and Ferries.

Mr. HARRISON moved to amend the amendment proposed by himself on yesterday, so as to read as follows :

"That the twenty-seventh section of an Act, entitled 'An Act to establish certain Roads, Bridges and Ferries, and to renew certain Charters heretofore granted,' ratified the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-three, be, and the same is hereby, repealed; and the City Council of Augusta are hereby authorized and empowered to collect toll from all persons passing either side of the bridge across the Savannah River at Hamburg and Augusta, with the express condition that the said City Council of Augusta shall collect no more or greater tolls than may be necessary to keep said bridge in repair, and to rebuild the same in case of its destruction : *Provided, however*, That this grant shall at all times be subject to amendment, modification or repeal by the Legislature."

Mr. BOYLSTON offered the following as an amendment to the amendment :

"*Provided*, That the said City Council of Augusta shall keep and preserve the said bridge in good order, and permit the citizens of this State to pass said bridge free of toll."

Mr. M. J. KIRK moved that the amendment, together with the amendment proposed thereto, be indefinitely postponed; and the question being put, Will the House agree thereto? the House refused to postpone.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                   |              |                 |
|-------------------|--------------|-----------------|
| Messrs. Anderson, | Harrington,  | Rebb,           |
| Beaty,            | Haynesworth, | Rowell,         |
| Boylston,         | Hearst,      | Rumph,          |
| Bratton,          | Henderson,   | Sanders,        |
| Bryan,            | Irby,        | Seabrook,       |
| Bush,             | Johnson,     | Simpson,        |
| Campbell,         | Jones,       | Sullivan,       |
| Cauthen,          | Kirk, P. C., | Thomson,        |
| Clarke,           | Kirk, M. J., | Thornwell,      |
| Cordes,           | McGowan,     | Wallace, A. S., |
| Crosson,          | McKensie,    | Whaley, B. J.,  |
| Cunningham,       | McQueen,     | Whaley, J. C.,  |
| Dantzler,         | Melton,      | Whiting,        |
| Gill,             | Mooney,      | Wilson, John,   |
| Graham,           | Moragne,     | Wilkes.         |
| Hart,             |              |                 |

Those who voted in the negative are

|                                 |           |                     |
|---------------------------------|-----------|---------------------|
| Hon. JAMES SIMONS, Speaker, and |           |                     |
| Messrs. Ambler,                 | Hope,     | Rice,               |
| Blanding,                       | Kershaw,  | Richardson,         |
| Boykin,                         | Kilgore,  | Siegling,           |
| Bryce,                          | King,     | Simons, T. Y., Jr., |
| Butler,                         | Landrum,  | Spain,              |
| Clawson,                        | Lewis,    | Tillman,            |
| DeSaussure, W.D.                | Lowry,    | Tobin,              |
| DeSaussure, W.G.                | McBee,    | Toomer,             |
| Dorn,                           | McCrary,  | Trenholm,           |
| Duncan,                         | Miller,   | Trimmier,           |
| Epps,                           | Mitchell, | Tucker,             |
| Felder,                         | Mobley,   | Wallace, William,   |
| Fox,                            | Munro,    | Wagner,             |
| Furman,                         | Moorer,   | Wilson, B. H.,      |
| Green,                          | Mullins,  | Wilson, W. B.,      |
| Hammond,                        | Noble,    | Williams,           |
| Hampton,                        | O'Bryan,  | Winsmith,           |
| Harrison,                       | Porcher,  | Witherspoon.        |
| Holston,                        | Read,     |                     |

MR. HARRISON moved to lay the amendment on the table: and the question being put, will the House agree thereto? it passed in the affirmative:

Yeas, 61—Nays, 43.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker, and

|                   |           |                     |
|-------------------|-----------|---------------------|
| Messrs. Ambler,   | Hope,     | Porcher,            |
| Blanding,         | Irby,     | Read,               |
| Boykin,           | Johnson,  | Rice,               |
| Bryan,            | Kershaw,  | Richardson,         |
| Bryce,            | Kilgore,  | Siegling,           |
| Butler,           | King,     | Simons, T. Y., Jr., |
| Clawson,          | Landrum,  | Spain,              |
| DeSaussure, W. D. | Lewis,    | Tillman,            |
| DeSaussure, W. G. | Lowry,    | Tobin,              |
| Dorn,             | McBee,    | Toomer,             |
| Duncan,           | McCrady,  | Trenholm,           |
| Epps,             | McKnight, | Trimmier,           |
| Felder,           | Miller,   | Tucker,             |
| Fox,              | Mitchell, | Wallace, William,   |
| Furman,           | Mobley,   | Wagner,             |
| Green,            | Munro,    | Wilson, B. H.,      |
| Hampton,          | Moorer,   | Wilson, W. B.,      |
| Harrison,         | Mooney,   | Williams,           |
| Henderson,        | Noble,    | Winsmith,           |
| Holston,          | O'Bryan,  | Witherspoon.        |

Those who voted in the negative are

|                   |              |              |
|-------------------|--------------|--------------|
| Messrs. Anderson, | Crosson,     | Hearst,      |
| Beaty,            | Cunningham,  | Jones,       |
| Boylston,         | Dantzler,    | Kirk, P. C., |
| Bratton,          | Gill,        | Kirk, M. J., |
| Bush,             | Graham,      | McGowen,     |
| Campbell,         | Hammond,     | McKensie,    |
| Canthen,          | Hart,        | McQueen,     |
| Clarke,           | Harrington,  | Melton,      |
| Cordes,           | Haynesworth, | Moragne,     |

|           |                 |                |
|-----------|-----------------|----------------|
| Rebb,     | Simpson,        | Whaley, J. C., |
| Rowell,   | Sullivan,       | Whiting,       |
| Rumph,    | Thomson,        | Wilson, John,  |
| Sanders,  | Wallace, A. S., | Wilkes.        |
| Seabrook, |                 |                |

The question being then put, Will the House agree to the amendment?  
it passed in the affirmative.

Yeas, 63—Nays, 41.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker, and

|                   |           |                    |
|-------------------|-----------|--------------------|
| Messrs. Ambler,   | Holston,  | Read,              |
| Blanding,         | Hope,     | Rebb,              |
| Boykin,           | Kershaw,  | Rice,              |
| Bryce,            | Kilgore,  | Rowell,            |
| Butler,           | King,     | Siegling,          |
| Clawson,          | Landrum,  | Simons, T. Y., Jr. |
| DeSaussure, W. D. | Lowry,    | Spain,             |
| DeSaussure, W. G. | McBee,    | Tillman,           |
| Dorn,             | McCrady,  | Tobin,             |
| Duncan,           | McKensie, | Toomer,            |
| Epps,             | McKnight, | Trenholm,          |
| Felder,           | Metts,    | Trimmier,          |
| Fox,              | Miller,   | Tucker,            |
| Furman,           | Mitchell, | Wallace, William,  |
| Green,            | Mobley,   | Whiting,           |
| Grisham,          | Munro,    | Wilson, B. H.,     |
| Hammond,          | Moorer,   | Wilson, W. B.,     |
| Hampton,          | Mooney,   | Williams,          |
| Harrison,         | Noble,    | Winsmith,          |
| Haynesworth,      | O'Bryan,  | Witherspoon.       |
| Henderson,        | Randall,  |                    |

Those who voted in the negative are

|                   |           |          |
|-------------------|-----------|----------|
| Messrs. Anderson, | Bratton,  | Cauthen, |
| Beaty,            | Bush,     | Clarke,  |
| Boylston,         | Campbell, | Cordes,  |

Crosson,  
Cunningham,  
Dantzler,  
Gill,  
Graham,  
Hart,  
Harrington,  
Hearst,  
Irby,  
Johnson,  
Jones,

Kirk, F. C.,  
McGowan,  
McQueen,  
Melton,  
Meragne,  
Mullins,  
Porcher,  
Richardson,  
Rumph,  
Sanders,  
Seabrook,

Simpson,  
Sullivan,  
Thomson,  
Thornwell,  
Wallace, A. S.,  
Wagner,  
Whaley, B. J.,  
Whaley, J. C.,  
Wilson, John,  
Wilkes.

The Bill was then ordered to be sent to the Senate.

The following Bill was read the second time, and ordered to be returned to the Senate :

A Bill to amend an Act, entitled "An Act to incorporate the North Eastern Railroad Company.

The following Bill was read the second time, and ordered to be sent to the Senate :

A Bill to abolish the office of Tax Collector for the election district of Winyaw, and for other purposes.

Under the Rule of the House, business was suspended at 4 o'clock, P. M., until 7 o'clock, P. M.

## RECESS.

When the SPEAKER took the Chair,

The following Bill was read the second time, and ordered to be sent to the Senate :

A Bill to classify the lands in the Catawba Indian Boundary, situate in York and Lancaster Districts, and to tax them as other lands in said Districts, and for other purposes.

Mr. MEMMINGER moved to take up out of its order, a Bill from the Senate, entitled "A Bill to authorize the State to aid in the construction of the Charleston and Savannah Railroad," reported on by the Committee of Ways and Means; and the question being put, Will the House agree thereto? Messrs. Mullins and Memminger were appointed tellers, and it passed in the affirmative,—Yeas 34—Nays 26.

The Bill was then taken up, and read a second time, and ordered to be returned to the Senate.

A Bill to extend to Judges at Chambers the power of appointing Commissioners to value lands required for Railroads; was read the second time, and ordered to be returned to the Senate.

The general orders were suspended, and Mr. MEMMINGER, from the Committee appointed to count the votes for a President and Directors of the Bank of the State of South Carolina, reported that C. M. FURMAN had received a majority of the votes cast, and was duly elected President; and that the following named gentlemen had received a majority of the votes cast for Directors, and were consequently elected:

THOMAS LEHRE, WILLIAM C. DUKES, H. F. STROHECKER, J. P. DEVEAUX, A. SIMONDS, J. H. STEINMEYER, L. W. SPRATT, K. L. SIMONS, F. LANNEAU, C. J. COLCOCK, and P. M. COHEN.

Whereupon the SPEAKER announced that CHARLES M. FURMAN was duly elected President, and that THOMAS LEHRE, WILLIAM C. DUKES, H. F. STROHECKER, J. P. DEVEAUX, A. SIMONDS, J. H. STEINMEYER, L. W. SPRATT, K. L. SIMONS, F. LANNEAU, C. J. COLCOCK, and P. M. COHEN, were duly elected Directors of the Bank of the State of South Carolina.

On motion of Mr. MEMMINGER, a message was sent to the Senate, proposing to that body to go into an election at 12 o'clock to-morrow for a twelfth Director of the Bank of the State of South Carolina.

On motion of Mr. CUNNINGHAM, a Bill to provide for Banks of Discount and Deposit, and to define and limit the business, power, and privileges of Banks, was taken up and was made the special order of the day for the first Friday after the first Monday in December next.

The following Report was considered and agreed to, and ordered to be sent to the Senate for concurrence.

Report of the Committee on Claims on the account of Walker & Moore;

On motion of Mr. THOMSON, the further consideration of

A Bill for the better regulation of the Commissioners of Cross Roads of Charleston Neck, was postponed till the first day of January next.

On motion of Mr. HEARST, the further consideration of a Bill to provide aid for the Roper Hospital, was indefinitely postponed.

The following Bills were read the second time, and ordered to be returned to the Senate:

A Bill to incorporate the Merchants' Mutual Insurance Company;

A Bill to incorporate the Charleston Water Company in the City of Charleston, State of South Carolina;

A Bill to provide for the better administration of justice in the City Court of Charleston;

A Bill to amend an Act, entitled "An Act to provide for the inspection of flour in certain particulars," was taken up for a second reading.

Mr. CAMPBELL moved to strike out the second section of the Bill, and the question being put, Will the House agree thereto? Messrs. CUNNINGHAM and DUNCAN were appointed Tellers, and the House refused to strike out: Ayes, 24—Nays, 54.

The Bill was then ordered to lie on the table :

A Bill to incorporate the Merchants' Mutual Insurance Company ;

A Bill to incorporate the Charleston Water Company ;

A Bill to amend an Act, entitled " An Act to provide for the inspection of flour " in certain particulars ;

A Bill to authorize and require the President and Directors of the Bank of the State of South Carolina to establish a Branch of the said Bank in Sumterville ;

A Bill to restrain the citizens of this State from voting more than once in the same election, and to prevent other inroads on the purity of the elective franchise ;

A Bill to provide for the better administration of justice in the City Court of Charleston ;

A Bill to increase the jurisdiction of Ordinaries in the sale and division of real estate and the appointment of Guardians ;

A Bill to amend an Act, entitled " An Act more effectually to prevent free negroes and other persons of color from entering into this State, and for other purposes," passed 19th December, 1835.

The Senate sent to this House

A Bill to declare Fish Pond Swamp, from Heryne's Landing to Jones' Swamp, thence to the Barnwell Road, a navigable stream ;

Also, a Bill to repeal the proviso to the first section of an Act, entitled " An Act relating to the survey of the coast of South Carolina," under the authority of the United States ; and the question being put, Shall these Bills be rejected ? it passed in the affirmative.

The Senate returned to this House, with their concurrence, the Report of the Committee on Claims, on the account of W. B. Nett.

The Senate also sent to this House the Report of the Committee on Claims and Grievances on the accounts of John Harvey and others, messengers and witnesses in the matter of the contested election for Prince Williams ; which was referred to the Committee on Claims ;

Also, a Resolution for appointing Commissioner to approve Public Bonds in Pickens District ; which was referred to the Committee on Vacant Offices.

A Bill to amend an Act, entitled " An Act more effectually to prevent free negroes and other persons of color from entering into the State, and for other purposes," passed 19th of December, 1835, was read the second time ; and the question being put, Shall this Bill be returned to the Senate ? it passed in the affirmative.

Yeas, 50—Nays, 22.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are,

Hon. JAMES SIMONS, Speaker, and

|                   |               |                |
|-------------------|---------------|----------------|
| Messrs. Blanding, | Hart,         | Read,          |
| Boykin,           | Hearst,       | Rowell,        |
| Beyston,          | Hope,         | Sanders,       |
| Bratton,          | Jones,        | Siegling,      |
| Bryce,            | Kershaw,      | Simpson,       |
| Bush,             | King,         | Sullivan,      |
| Campbell,         | Landrum,      | Thomson,       |
| Cauthen,          | Lowry,        | Thornwell,     |
| Clarke,           | McGowan,      | Tillman,       |
| Cordes,           | Mitchell,     | Trotti,        |
| Cunningham,       | Mobley,       | Trenholm,      |
| DeSaussure, W. G. | Moragne,      | Tucker,        |
| Epps,             | Mullins,      | Wallace, Wm.,  |
| Fox,              | Noble,        | Whaley, B. J., |
| Gill,             | Peoples,      | Wilson, B. H., |
| Hammond,          | Perry, B. F., | Wilkes.        |
| Hampton,          |               |                |

Those who voted in the negative are,

|                   |            |                     |
|-------------------|------------|---------------------|
| Messrs. Blum,     | Memminger, | Rumph,              |
| Bryan,            | Middleton, | Seabrook,           |
| DeSaussure, W. D. | Miller,    | Simons, T. Y., Jr., |
| Felder,           | O'Bryan,   | Spain,              |
| Johnson,          | Porcher,   | Toomer,             |
| Kilgore,          | Rebb,      | Wilson, W. B.       |
| McCrary,          | Rice,      | Winsmith.           |
| Melton,           |            |                     |

The Bill was then ordered to be sent to the Senate.

On motion of Mr. RICE, the House was adjourned at twenty-two minutes past 11 o'clock, P. M.

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WEDNESDAY, DECEMBER 20, 1854.

At the hour to which the House was adjourned, the Clerk called the roll, when the SPEAKER took the Chair, and a quorum being present, the journal of yesterday's proceedings was read.



Mr. P. C. KIRK asked leave to record the vote he would have given if present, on a Bill to amend an Act more effectually to prevent free negroes and other persons of color from entering into the State, and for other purposes; and his name being called, he answered *nay*.

Mr. WILLIAMS asked leave to record his vote on the same Bill; and his name being called, he answered *aye*.

Mr. A. S. WALLACE asked leave to record his vote on the same Bill; and his name being called, he answered *aye*.

Mr. McBEE asked leave to record his vote on the same Bill; and his name being called, he answered *aye*.

The SPEAKER called for Reports of Standing Committees and of Special Committees.

Mr. THOMSON presented the Report of the Committee on Claims on the Report of the Committee on Claims and Grievances of the Senate, on the accounts of John Harvey and others;

Also, the Report of the same Committee on the account of A. Palmer; which were severally ordered for consideration to-morrow.

Mr. ANDERSON presented the Report of the Committee on Vacant Offices on a Resolution from the Senate, appointing Commissioners to approve the official bonds of public officers for Pickens District; and a message was sent to the Senate, proposing to amend by inserting "H." between "James" and "Ambler," so as to read "James H. Ambler;" and a message was returned from the Senate, granting leave to amend.

The Resolution, as amended, was then agreed to, and ordered to be returned to the Senate.

The following Message was received from the Senate:

IN THE SENATE, December 19, 1854.

*Mr. Speaker and Gentlemen of the*

*House of Representatives:*

Senate respectfully concurs in the proposal of your House to unite with your House to-morrow at 12 o'clock, M., in a second ballot for a twelfth director of the Bank of the State of South Carolina,

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

The SPEAKER called for Resolutions, Bills, and motions:

Mr. BOYKIN offered the following Resolution, which was considered immediately and agreed to, and ordered to be sent to the Senate for concurrence:

*Resolved*, That it shall be the duty of the Clerk of the Senate and House of Representatives immediately after the adjournment of each Session, to

furnish to his Excellency, the Governor, a transcript of all such matters as may have been adopted during such Session, and which may require his official attention.

The following Bills were read the third time :

A Bill to amend the first clause of an Act entitled " An Act to renew and amend the charters of certain towns and villages heretofore incorporated," passed 20th December, 1843 ;

A Bill to extend the time allowed the Greenville and Columbia Railroad Company, and the Newberry and Chester Railroad Company to open books of subscription to the Capital Stock of said Company ;

A Bill to raise supplies for the year commencing in October, one thousand eight hundred and fifty-four ;

A Bill to make appropriations for the year commencing in October, one thousand eight hundred and fifty-four ;

A Bill to incorporate the South Carolina Savings and Building Association ;

A Bill to incorporate the Columbia and Charlotte Magnetic Telegraph Company ;

A Bill to amend an Act, entitled " An Act to incorporate the North-Eastern Railroad Company ;"

A Bill to extend to Judges at Chambers the power of appointing Commissioners to value lands required for Railroads ;

A Bill to amend an Act, entitled " An Act to provide for the inspection of flour" in certain particulars ;

A Bill to authorize the United States to purchase certain parcels of land in this State, for the erection of Light Houses and Beacon Lights ;

A Bill to authorize the State to aid in the construction of the Charleston and Savannah Railroad ;

A Bill to incorporate the Charleston Water Company, in the City of Charleston, State of South Carolina ;

*Resolved*, That the Bills do pass, that the titles thereof be changed ; that they be called Acts.

*Ordered*, That they be returned to the Senate.

At 12 o'clock, M., the Senate attended, and joined the House in a ballot for a twelfth Director of the Bank of the State of South Carolina.

The following Message was received from the Senate :

IN THE SENATE, Dec. 20, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully proposes to your House to go into an election for nine Regents of the Lunatic Asylum, at 1 o'clock, to-morrow.

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

On motion of Mr. HAMPTON, a Message of concurrence was sent to the Senate.

Mr. MILLER, from the Committee appointed to count the ballots for a twelfth Director of the Bank of the State of South Carolina, reported that no candidate had received a majority of the votes cast, and that consequently there was no election.

On motion of Mr. M. J. KIRK, a Message was sent to the Senate, proposing to go forthwith into another ballot for Bank Director.

The following Bills were read the third time :

A Bill to incorporate the Southern Mutual Life Insurance Company ;

A Bill to alter and amend the Charter of the Town of Columbia, and for other purposes ;

A Bill to incorporate certain Religious and Charitable Societies, and Societies for the advancement of Education, and to renew and amend the Charters of others heretofore granted ;

A Bill to amend an Act to incorporate the Fireman's Insurance Company of Charleston, passed the 16th December, 1852 ;

A Bill to re-charter the Bank of Georgetown, South Carolina ;

A Bill to incorporate the Yorkville Female Institute, and the Marion Female College ;

A Bill to incorporate the Elmwood Cemetery Company ; .

A Bill to authorize the Cheraw and Darlington Railroad Company to increase their capital stock ;

A Bill to incorporate the Society for the Relief of Indigent and Superannuated Ministers of the Presbyterian Church, and their families ;

A Bill to re-charter the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia ;

A Bill to authorize and empower the City Council of Charleston to levy and collect taxes on the real estate of Banks within the corporate limits of said city ;

A Bill to authorize the Town Council of Hamburg to subscribe to the capital stock of certain Railroad Companies therein mentioned ;

A Bill to incorporate the Columbia Machine Works ;

A Bill to renew and amend the Charters of certain Towns and Villages heretofore incorporated ;

A Bill to vest the title of the State in certain escheated property therein mentioned, in certain persons therein named ;

A Bill to incorporate the Spartanburg Female College ;

A Bill to amend the Charter of the Wilmington and Manchester Railroad Company ;

A Bill to amend an Act, entitled "An Act to re-charter the Merchants' Bank of South Carolina, at Cheraw ;"

A Bill to incorporate the Village of Marion, and for other purposes therein mentioned ;

A Bill to incorporate Columbia Female College ;

A Bill to incorporate certain Societies, Associations and Companies; and to renew and amend the Charters of others ;

A Bill to amend an Act, entitled "An Act to authorize the formation of the Savannah River Valley Railroad Company, and to grant aid in the construction of their Road ;

A Bill to classify the lands in the Catawba Indian boundary, situate in York and Lancaster Districts, and to tax them as other lands in said Districts, and for other purposes ;

A Bill to extend and renew the Charter of the Town of Yorkville ;

A Bill to amend an Act, entitled "An Act to incorporate the Town of Mount Pleasant ;"

A Bill to authorize the formation of a Volunteer Battalion to be attached to the 28d Regiment, South Carolina Militia, and for other purposes ;

A Bill to amend the Charter of the Bank of the State of South Carolina ;

A Bill to authorize the Comptroller General to accept the bequest of the late John Blair ;

A Bill to amend the Charter of the Town of Georgetown ;

A Bill to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the capital stock of Railroads, Plank Roads, and Canal Companies, and to confirm the subscriptions heretofore made by them ;

A Bill to abolish the office of Tax Collector for the Election District of Winyaw, and for other purposes.

*Resolved*, That the Bills do pass ; that the titles thereof be changed ; that they be called Acts.

*Ordered*, That they be sent to the Senate.

The following Acts were ordered to be committed to the Committee on Engrossed Acts :

An Act to authorize and empower the Commissioners of the Orphan House of Charleston to select the number of youths therein mentioned from those educated and maintained on the bounty of that Institution, who shall be allowed to complete their education at the Military Schools established by this State ;

An Act to authorize aid to the Blue Ridge Railroad in South Carolina.

Mr. THOMSON moved that the Resolution providing for a daily Recess of this House, be rescinded for the remainder of the Session, and the question being put, Will the House agree thereto ? Messrs. Thomson and Perry were appointed tellers and the House refused to rescind. Yeas, 36—Nays, 51.

A Bill to amend an Act, entitled "An Act more effectually to prevent

free negroes and other persons of color from entering into this State, and for other purposes," passed 19th December, 1835; was taken up for a third reading, and after some time spent in the consideration thereof,

Under the Rule of the House, business was suspended at 4 o'clock, P. M., till 7 o'clock, P. M.

## RECESS.

When the SPEAKER took the Chair,

On motion of Mr. PERRY, leave of absence for the remainder of the session was granted to Mr. P. E. DUNCAN.

The House resumed the consideration of a Bill to amend An Act, entitled "An Act more effectually to prevent free negroes and other persons of color from entering into this State, and for other purposes," passed 19th December, 1835.

Mr. MULLINS moved that the further consideration of the Bill be indefinitely postponed; and the question being put, Will the House agree thereto? the Bill was indefinitely postponed.

Yeas, 54—Nays, 44.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative, are

|                   |              |                    |
|-------------------|--------------|--------------------|
| Messrs. Ambler,   | Hearst,      | O'Bryan,           |
| Beaty,            | Herndon,     | Porcher,           |
| Bryan,            | Irby,        | Rebb,              |
| Cauthen,          | Johnson,     | Rice,              |
| Clarke,           | Kilgore,     | Rowell,            |
| Clawson,          | Kirk, P. C., | Rumph,             |
| Cordes,           | Kirk, M. J.  | Seabrook,          |
| Crosson,          | Lowry,       | Simons, T. Y., Jr. |
| Dantzler,         | McCrary,     | Spain,             |
| DeSaussure, W. D. | McKnight,    | Sullivan,          |
| Epps,             | Melton,      | Thomson,           |
| Felder,           | Memminger,   | Toomer,            |
| Furman,           | Middleton,   | Tucker,            |
| Gill,             | Miller,      | Whaley, J. C.,     |
| Green,            | Munro,       | Whiting,           |
| Grisham,          | Moorer,      | Wilson, John,      |
| Hammond,          | Mullins,     | Wilson, W. B.,     |
| Harrison,         | Noble,       | Winsmith.          |

Those who voted in the negative are—

| Hon. JAMES SIMONS, Speaker, and |               |                |
|---------------------------------|---------------|----------------|
| Messrs. Anderson,               | Harrington,   | Randall,       |
| Blanding,                       | Haynesworth,  | Read,          |
| Boykin,                         | Henderson,    | Sanders,       |
| Boylston,                       | Hope,         | Simpson,       |
| Bratton,                        | Jones,        | Thornwell,     |
| Bryce,                          | Kershaw,      | Tillman,       |
| Bush,                           | Landrum,      | Trenholm,      |
| Campbell,                       | McBee,        | Trimmier,      |
| Cunningham,                     | McGowan,      | Wallace, Wm.,  |
| DeSaussure, W.G.                | Metts,        | Wagner,        |
| Dorn,                           | Mobley,       | Whaley, B. J., |
| Fox,                            | Mooney,       | Wilson, B. H.  |
| Graham,                         | Moragne,      | Williams,      |
| Hampton,                        | Perry, B. F., | Wilkes.        |
| Hart,                           |               |                |

Mr. McKNIGHT moved to reconsider the vote on the motion to indefinitely postpone the Bill.

Mr. B. H. WILSON moved that the House be called, and the question being put, Will the House agree thereto? the House refused a call.

Yeas, 28—Nays, 69.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are,

| Hon. JAMES SIMONS, Speaker, and |               |                |
|---------------------------------|---------------|----------------|
| Messrs. Anderson,               | Jones,        | Sanders,       |
| Boykin,                         | Landrum,      | Simpson,       |
| Bush,                           | McGowan,      | Thornwell,     |
| Crosson,                        | McKnight,     | Tillman,       |
| Cunningham,                     | Metts,        | Trimmier,      |
| Dorn,                           | Mobley,       | Wagner,        |
| Harrison,                       | Mooney,       | Whaley, B. J., |
| Henderson,                      | Perry, B. F., | Wilson, B. H., |
| Holston,                        | Read,         | Williams.      |

Those who voted in the negative are,

|                 |           |          |
|-----------------|-----------|----------|
| Messrs. Ambler, | Blanding, | Bratton, |
| Beaty,          | Boylston, | Bryan,   |
| 13              |           |          |

|                  |              |                     |
|------------------|--------------|---------------------|
| Bryce,           | Hearst,      | Porchar,            |
| Campbell,        | Herndon,     | Randall,            |
| Cauthen,         | Hope,        | Bebb,               |
| Clarke,          | Irby,        | Rice,               |
| Clawson,         | Johnson,     | Rowell,             |
| Cordes,          | Kerahaw,     | Rumph,              |
| Dantsler,        | Kilgore,     | Seabrook,           |
| DeSaussure, W.D. | Kirk, P. C., | Simons, T. Y., Jr., |
| DeSaussure, W.G. | Kirk, M. J., | Spain,              |
| Epps,            | Lowry,       | Sullivan,           |
| Felder,          | McBee,       | Thomson,            |
| Fox,             | McCrary,     | Toomer,             |
| Gill,            | Melton,      | Trenholm,           |
| Graham,          | Memminger,   | Tucker,             |
| Green,           | Middleton,   | Wallace, Wm.,       |
| Grisham,         | Miller,      | Whaley, J. C.,      |
| Hammond,         | Munro,       | Whiting,            |
| Hampton,         | Moorer,      | Wilson, John,       |
| Hart,            | Mullins,     | Wilson, W. B.,      |
| Harrington,      | Noble,       | Wilkes,             |
| Haynesworth,     | O'Bryan,     | Winsmith.           |

Mr. BRYAN moved that the motion to reconsider the vote be ordered to *lie on the table*; and the question being put, Will the House agree thereto? it passed in the affirmative;

Yeas, 59—Nays, 41.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative are

|                 |                  |              |
|-----------------|------------------|--------------|
| Messrs. Ambler, | DeSaussure, W.D. | Irby,        |
| Anderson,       | DeSaussure, W.G. | Johnson,     |
| Beaty,          | Epps,            | Kerahaw,     |
| Blanding,       | Felder,          | Kilgore,     |
| Bratton,        | Furman,          | Kirk, P. C., |
| Bryan,          | Gill,            | Kirk, M. J., |
| Cauthen,        | Graham,          | McCrary,     |
| Clarke,         | Green,           | Melton,      |
| Clawson,        | Grisham,         | Memminger,   |
| Cordes,         | Hammond,         | Metts,       |
| Crosson,        | Hearst,          | Middleton,   |
| Dantsler,       | Herndon,         | Miller,      |

Munro,  
Moorer,  
Mullins,  
Noble,  
O'Bryan,  
Porcher,  
Rebb,  
Rice,

Rowell,  
Rumph,  
Seabrook,  
Simons, T. Y., Jr.,  
Spain,  
Sullivan,  
Thomson,  
Toomer,

Tucker,  
Wallace, Wm.,  
Whaley, J. C.,  
Whiting,  
Wilson, John  
Wilson, W. B.,  
Winsmith.

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker, and

Messrs. Boykin,  
Boylston,  
Bryce,  
Bush,  
Campbell,  
Cunningham,  
Dorn,  
Fox,  
Hampton,  
Hart,  
Harrington,  
Haynesworth,  
Henderson  
Holston,

Hope,  
Jones,  
King,  
Landrum,  
Lowry,  
McBee,  
McGowan,  
McKnight,  
Mitchell,  
Mobley,  
Mooney,  
Moragne,  
Perry, B. F.,

Randall,  
Read,  
Sanders,  
Simpson,  
Thornwell,  
Tillman,  
Trenholm,  
Trimmier,  
Wagner,  
Whaley, B. J.,  
Wilson, B. H.,  
Williams,  
Wilkes.

So the Bill was indefinitely postponed.

The following Acts were committed to the Committee on Engrossed Acts :

An Act to amend the first clause of an Act, entitled " An Act to renew and amend the charters of certain towns and villages heretofore incorporated," passed 20th December, 1853.

An Act to incorporate the Spartanburg Female College.

An Act to authorize the Cheraw and Darlington Railroad Company to increase their capital stock.

An Act to authorize and empower the City Council of Charleston to levy and collect taxes on real estate of Banks within the corporate limits of said city.

An Act to renew and amend the charters of certain towns and villages heretofore incorporated.

An Act to amend an Act, entitled " An Act to re-charter the Merchants' Bank of South Carolina at Cheraw."

An Act to incorporate the Elmwood Cemetery Company.



An Act to vest the title of the State in certain escheated property therein mentioned in certain persons therein named;

An Act to authorize the Town Council of Hamburg to subscribe to the capital stock of certain Railroad Companies therein mentioned;

An Act to incorporate the Society for the relief of indigent and superannuated Ministers of the Presbyterian Church and their families;

An Act to amend the charter of the Wilmington and Manchester Railroad Company;

An Act to raise supplies for the year commencing in October, one thousand eight hundred and fifty-four;

An Act to extend the time allowed the Greenville and Columbia Railroad Company, and the Newberry and Chester Railroad Company to open books of subscription to the capital stock of said Companies;

An Act to re-charter the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia;

An Act to incorporate the South Carolina Saving and Building Association;

An Act to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the capital stock of Railroads, Plank Roads, and Canal Companies, and to confirm the subscriptions heretofore made by them;

An Act to amend the Charter of the Town of Georgetown;

An Act to Incorporate the Yorkville Female Institute, and the Marion Female College;

An Act to amend an Act entitled "An Act to authorize the formation of the Savannah River Valley Railroad Company, and to grant aid in the construction of their Road;"

An Act to authorize the formation of a Volunteer Battalion, to be attached to the 28d Regiment, S. C. M., and for other purposes;

An Act to authorize the Comptroller General to accept the bequest of the late John Blair;

An Act to amend the Charter of the Bank of the State of South Carolina;

An Act to re-charter the Bank of Georgetown;

An Act to amend an Act to Incorporate the Fireman's Insurance Company of Charleston, passed 16th December, 1852;

An Act to Incorporate the Southern Mutual Life Insurance Company;

An Act to Incorporate the Village of Marion, and for other purposes therein mentioned;

An Act to Incorporate certain religious and charitable Societies, and Societies for the advancement of Education, and to renew and amend the charters of others heretofore granted;

Mr. WAGNER introduced the following resolution, which was considered immediately and agreed to, and ordered to be sent to the Senate for concurrence :

*Resolved*, That the Joint Committee appointed by this Legislature to examine the Bank of the State and its Branches, be allowed the same per diem and mileage as members of the Legislature while engaged in the discharge of their duty.

Mr. DANTZLER presented the Report of the Committee on Vacant Offices, which was ordered for consideration to-morrow.

The following message was received from the Senate :

IN THE SENATE, December 20, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House to amend a Bill to make appropriations for the year commencing in October, one thousand eight hundred and fifty four, by inserting the following clause : " For Charleston Jail, ten thousand dollars and no more, to be drawn and expended under the direction of the Commissioners of Public Buildings of the said District."

By order of the Senate,

ROBT. F. W. ALLSTON, *President*.

On motion of Mr. MIDDLETON, a message was returned to the Senate . granting leave to amend.

The following Bill was read a third time :

A Bill to incorporate the Merchants' Mutual Insurance Company.

*Resolved*, That the Bill do pass ; that the title thereof be changed ; that it be called an Act.

*Ordered*, That it be sent to the Senate.

The following Bill was read the third time.

A Bill to provide for the better administration of justice in the City Court of Charleston.

*Resolved*, That the Bill do pass ; that the title thereof be changed ; that it be called an Act.

*Ordered*, That it be returned to the Senate.

A Bill to establish certain Roads, Bridges, and Ferries was taken up for a third reading. Senate amended the Bill by striking out the twenty-fourth section, which reads as follows :

" That the twenty-seventh section of an Act entitled ' An Act to establish certain Roads, Bridges, and Ferries, and to renew certain charters heretofore granted,' ratified the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-three, be and the same is hereby repealed ; and the City Council of Augusta are hereby authorized and empowered to collect toll from all persons passing either side of the Bridge across the Sa-

vannah river, at Hamburg and Augusta; with the express condition that the said City Council of Augusta shall collect no more or greater tolls than may be necessary to keep said bridge in repair, and to rebuild the same in case of its destruction: *Provided, however,* That this grant shall at all times be subject to amendment, modification, or repeal, by the Legislature."

Mr. GREEN moved a call of the House; and the question being put, Will the House agree thereto? Messrs. Green and Simpson were appointed Tellers, and the House refused to order the call. Yeas, 29—Nays, 39.

The question being put, Will the House agree to the Senate's amendment? it passed in the affirmative.

Yeas, 49—Nays, 41.

The Yeas and Nays were requested, and are as follows:

Those who voted in the affirmative are

|                   |              |                |
|-------------------|--------------|----------------|
| Messrs. Anderson, | Herndon,     | O'Bryan,       |
| Beaty,            | Irby,        | Perry, B. F    |
| Boylston,         | Johnson,     | Porcher,       |
| Bratton,          | Jones,       | Rebb,          |
| Bryan,            | Kirk, P. C., | Rowell,        |
| Bush,             | Kirk, M. J., | Rumph,         |
| Campbell,         | McBee,       | Seabrook,      |
| Cauthen,          | McGowan,     | Simpson,       |
| Clarke,           | McKnight,    | Sullivan,      |
| Cordes,           | Melton,      | Thomson,       |
| Crosson,          | Metts,       | Thornwell,     |
| Cunningham,       | Middleton,   | Whaley, B. J., |
| Dantzler,         | Munro,       | Whaley, J. C., |
| Gill,             | Mooney,      | Whiting,       |
| Hart,             | Moragne,     | Wilson, John,  |
| Harrington,       | Mullins,     | Wilkes.        |
| Hearst,           |              |                |

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker, and

|                 |                   |          |
|-----------------|-------------------|----------|
| Messrs. Ambler, | DeSaussure, W. G. | Furman,  |
| Blanding,       | Dorn,             | Green,   |
| Boykin,         | Epps,             | Grisham, |
| Bryce,          | Felder,           | Hammond, |
| Clawson,        | Fox,              | Hampton, |

|              |                    |                |
|--------------|--------------------|----------------|
| Harrison,    | Mitchell,          | Toomer,        |
| Haynesworth, | Mobley,            | Trimmier,      |
| Holston,     | Moorer,            | Tucker,        |
| Hope,        | Read,              | Wallace, Wm.,  |
| Kershaw,     | Rice,              | Wilson, W. B., |
| Kilgore,     | Simons, T. Y. Jr., | Williams,      |
| Landrum,     | Spain,             | Winsmith,      |
| Lowry,       | Tillman,           | Witherspoon.   |
| Miller,      |                    |                |

The Senate proposed the following amendment as an additional section to the Bill :

"That an Act of this Legislature, passed Anno Domini one thousand eight hundred and twenty, to prevent obstructions in the navigation of Horse Creek, in Edgefield District, be, and the same is hereby, construed so as not to apply to navigation of the said Horse Creek, above Richardson's Falls, on the said Creek, at Graniteville."

And the question being put, Will the House agree thereto? the House refused to agree to the amendment.

Yeas, 38—Nays, 42.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                                 |              |                    |
|---------------------------------|--------------|--------------------|
| Hon. JAMES SIMONS, Speaker, and |              |                    |
| Messrs. Ambler,                 | Gill,        | Mitchell,          |
| Anderson,                       | Grisham,     | Perry, B. F.,      |
| Blanding,                       | Hampton,     | Read,              |
| Boylston,                       | Hart,        | Rebb,              |
| Bryan,                          | Harrington,  | Rumph,             |
| Bryce,                          | Haynesworth, | Seabrook,          |
| Campbell,                       | Hearst,      | Simons, T. Y. Jr., |
| Cauthen,                        | King,        | Thomson,           |
| Clarke,                         | McGowan,     | Thornwell,         |
| Cordes,                         | Melton,      | Wallace, Wm.,      |
| Cunningham,                     | Metts,       | Whaley, J. C.,     |
| Dantzer,                        | Middleton,   | Wilson, W. B.,     |
| DeSaussure, W. G.               |              |                    |

Those who voted in the negative are

|                |          |                   |
|----------------|----------|-------------------|
| Messrs. Beaty, | Bush,    | Crosson,          |
| Boykin,        | Clawson, | DeSaussure, W. D. |

|           |              |              |
|-----------|--------------|--------------|
| Dorn,     | Johnson,     | Howell,      |
| Epps,     | Kershaw,     | Simpson,     |
| Felder,   | Kilgore,     | Spain,       |
| Fox,      | Kirk, P. C., | Sullivan,    |
| Furman,   | Landrum,     | Tillman,     |
| Graham,   | Lowry,       | Toomer,      |
| Green,    | Miller,      | Tucker,      |
| Hammond,  | Mobley,      | Wilson, John |
| Harrison, | Munro,       | Williams,    |
| Holston,  | Mullins,     | Wilkes,      |
| Hope,     | O'Bryan,     | Winsmith,    |
| Irby,     | Rice,        | Witherspoon. |

Mr. MUNRO moved to reconsider the vote on the 24th section of the Bill.  
 Mr. CUNNINGHAM moved that the motion to reconsider be ordered to  
*lie on the table.*

The yeas and nays were called for.

Mr. HARRISON moved that the House do adjourn; and the question  
 being put, Will the House agree thereto? Messrs. Mitchell and Thornwell  
 were appointed tellers, and it passed it the affirmative. Yeas, 41—Nays, 36.

The House was then adjourned at 45 minutes past 10 o'clock, P. M.

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#### THURSDAY, DECEMBER 21, 1854.

At the hour to which the House was adjourned, the Clerk called the roll,  
 when the SPEAKER took the Chair, and a quorum being present, the  
 Journal of yesterday's proceedings was read.

The following Acts were committed to the Committee on Engrossed Acts:

An Act to make appropriations for the year commencing in October, one  
 thousand eight hundred and fifty-four;

An Act to incorporate the Columbia Machine Works;

An Act to extend and renew the Charter of the Town of Yorkville;

An Act to amend an Act, entitled "An Act to incorporate the Town of  
 Mount Pleasant;"

An Act to incorporate certain Societies, Associations and Companies, and  
 to renew and amend the Charters of others;

An Act to amend an Act, entitled "An Act to incorporate the North-  
 Eastern Railroad Company."

The SPEAKER called for Reports of Standing Committees and of Special Committees.

Mr. W. G. DESAUSURE presented the Report of the Committee on the Judiciary on the seventh volume of Law Reports, and fifth volume of Equity Reports; which was considered immediately, agreed to, and ordered to be sent to the Senate for concurrence.

The following message was received from the Senate :

IN THE SENATE, December 20, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate asks leave of your House to amend the Report of the Committee on Claims of your House on the account of the Chester Standard, by striking out \$25 and inserting \$12.50.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion, leave was refused, and a message sent accordingly.

The following message was received from the Senate :

IN THE SENATE, December 20, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully informs your House that the Committee on the Lunatic Asylum and Medical Accounts of the Senate, to whom was referred the Report of the Medical Committee of your House on the account of Dr. J. H. Dean, for a *post mortem* examination, and the examination of a lunatic before a magistrate, concurs in so much as allows twenty dollars for the *post mortem* examination; but as regards the service rendered before a magistrate in a case of lunacy, and for which a charge of five dollars made but not allowed, your Committee ask leave to amend by adding the sum of five dollars, making in all the sum of twenty-five dollars.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion, leave was granted, and a message sent accordingly.

Mr. MELTON presented the Report of the Committee on Accounts; which was made the Special Order of the day for this day, at 1 o'clock.

On motion of Mr. MULLINS, leave of absence for the remainder of the session was granted to Mr. E. W. CHARLES.

The House then proceeded to the consideration of the

## GENERAL ORDERS.

A Resolution as to adjournment of the General Assembly was taken up.

Mr. MULLINS moved to amend so as to read as follows :

*Resolved*, That this General Assembly will adjourn on Thursday, the 21st instant, at 9 o'clock, P. M.

*Resolved*, That when this General Assembly adjourns, it will stand adjourned until the Tuesday before the fourth Monday in November next.

Mr. HARRISON moved to amend by inserting " Friday, the 22d instant."

Mr. RICE moved that the amendment be ordered *to lie on the table*; and the question being put, Will the House agree thereto? it passed in the affirmative.

Yeas, 52—Nays, 25.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                   |              |                |
|-------------------|--------------|----------------|
| Messrs. Ambler,   | Herndon,     | Peeples,       |
| Beaty,            | Holston,     | Perry, B. F.,  |
| Boykin,           | Irby,        | Porcher,       |
| Boylston,         | Kilgore,     | Randall,       |
| Bryan,            | Kirk, P. C., | Rebb,          |
| Bush,             | Kirk, M. J., | Rice,          |
| Campbell,         | Landrum,     | Rowell,        |
| Cauthen,          | Lowry,       | Sanders,       |
| Clarke,           | McCrary,     | Seabrook,      |
| Cordes,           | McKnight,    | Spain,         |
| DeSaussure, W. G. | Melton,      | Thomson,       |
| Dorn,             | Middleton,   | Trimmier,      |
| Gill,             | Mobley,      | Tucker,        |
| Grisham,          | Mooney,      | Whaley, B. J., |
| Hammond,          | Moragne,     | Whaley, J. C., |
| Hart,             | Mullins,     | Whiting,       |
| Haynesworth,      | O'Bryan,     | Wilson, B. H.  |
| Henderson,        |              |                |

Those who voted in the negative are

|                                 |                   |         |
|---------------------------------|-------------------|---------|
| Hon. JAMES SIMONS, Speaker; and |                   |         |
| Messrs. Anderson,               | Clawson,          | Felder, |
| Blanding,                       | DeSaussure, W. D. | Fox,    |

Furman,  
Hampton,  
Harrison,  
Hearst,  
Hope, •  
McGowan,

Mitchell,  
Read,  
Rumph,  
Siegling,  
Simons, T. Y., Jr.,  
Tillman,

Trenholm,  
Wallace, William,  
Wilson, John,  
Wilson, W. B.,  
Williams,  
Wilkes.

The Resolution as amended was then agreed to, and ordered to be sent to the Senate for concurrence.

The following Reports were considered and agreed to, and ordered to be sent to the Senate for concurrence :

Reports of the Committee on Claims

- On the account of Dr. M. Lafitte ;
- On the accounts of James Adams ;
- On the account of Evans & DeLorme ;
- On the account of S. G. Courtenay ;
- On the account of V. Little ;
- On the account of R. S. Bailey ;
- On the petition of John Watson ;
- On the account of Bomar & Trimmier ;
- On the petition of Daniel Roundtree ;
- On the petition of John L. Miller ;
- On the account of S. G. Earle ;
- On the account of F. Gaillard ;
- On the account of J. Powell ;
- On the account of John Martin ;
- On the account of J. Jackson :
- On the account of W. F. Durisoe ;
- On the account of W. W. Purse ;
- On the claims of Drs. Barrow & Bratton ;
- On the petition of Barney O'Neill ;
- On the account of R. W. Gibbes & Co. ;
- On the claim of R. E. Ellison ;
- On the account of the Charleston Courier ;
- On the account of B. V. Posey ;
- On the claim of Dr. T. J. Rawls ;
- On the account of E. A. Bronson ;
- On the petition of W. S. Rowe ;
- On the claim of W. L. Foss ;
- On the account of Gilbert & Fraser ;
- On the account of James M. Collin ;
- On the petition of W. S. Graham ;



On the account of A. N. Talley ;  
On the account of Abner Leggett ;  
On the account of James V. Hagood ;  
On the account of O. Richardson ;  
On the account of Lewis & Richardson ;  
On the account of J. W. Sturgess ;  
On the account of Thomas L. Gelzer ;  
On the account of A. Palmer ;  
On the account of J. S. Crane ;  
On the petition of E. S. Dunlap ;  
On the petition of James Fant ;  
On the account of Dozier & Tarbox ;  
On the claim of C. H. Simonton ;  
On the account of R. L. Bryan ;  
On the account of John L. Dawson ;  
On the account of H. J. Avinger ;  
On the account of John T. Sloan ;  
On the account of H. W. DeSaussure ;  
On the account of Thomas J. Lamotte ;  
On the account of Ibzan J. Rice ;  
On the account of James M. Hunter ;  
On the account of Benjamin Perry ;  
On the account of Robert M. Thompson ;  
On the account of J. L. Dawson.

Report of the Medical Committee on the account of Dr. J. R. McIrvine ;

Report of Committee on Claims

On the account of O. C. Rhame ;

On the account of S. L. Lockwood.

Report of the Medical Committee on the account of R. L. Hart.

The following Reports were considered and agreed to, and ordered to be returned to the Senate :

Reports of the Committee on Claims on Reports of the Committee on Claims and Grievances of the Senate—

On the accounts of John Harvey and others ;

On the account of W. W. Purse ;

On the account of R. W. Gibbes, Jr. ;

On the account of P. D. Stokes ;

On the account of J. Malachi Ford ;

On the account of W. J. Graham ;

On the account of C. B. Sarvis ;

On the account of McCarter, Allen & Co. ;

On the account of Charleston Mercury ;

On the account of John R. Beatty.

Reports of the same Committee on the Report of the Committee on the Lunatic Asylum and Medical Accounts—

On the account of J. H. Mellichampe;

On the petition of Dr. W. K. Cuckon;

On the account of T. A. Dargan;

On the account of George S. Pelser;

On the petition of J. H. Grant;

On the account of T. J. K. & T. A. Dargan.

The following Acts were ordered to be committed to the Committee on Engrossed Acts:

An Act to classify the lands in the Catawba Indian Boundary, situate in York and Lancaster Districts, and to tax them as other lands in said Districts, and for other purposes;

An Act to abolish the office of Tax Collector for the Election District of Winyaw, and for other purposes;

A Bill to incorporate the Columbia Female College.

The Senate sent to this House the following Resolution, which was considered immediately, agreed to, and ordered to be returned to the Senate:

*“Whereas, By an Act of the General Assembly, ratified on the 20th day of December, 1858, the Comptroller General was authorized to transfer immediately to the Laurens Railroad Company the sum of sixteen thousand dollars of the stock of the South Western Railroad Bank owned by the State, it being the last instalment of the subscription by the State to the capital stock of the Laurens Railroad Company; and whereas, a dividend on said stock was declared immediately thereafter, and before the transfer was made. It is therefore,*

*“Resolved, That the Comptroller General do pay over to the Laurens Railroad Company the dividend declared on the aforesaid stock in December last, amounting to six hundred and forty dollars, on being satisfied of the truth of the facts set forth in the above preamble.*

The Senate returned to this House with their concurrence the following Reports:

Reports of the Committee on Claims

On the petition of J. W. Guyton;

On the account of Samuel A. Hodges;

On the petition of James Bonds;

On the account of W. P. Price;

On the account of Thomas J. Workman;

On the account of G. P. Thomas.

Medical Committee on

Account of Drs. Turpin & Jones.

Claims—Account of James Porcher, Wardlaw & Lyon;

Account of R. M. Stokes.

Medical Claims—Account of Turpin & Jones;

Account of Wardlaw & Lyon;

Account of W. W. Goodman;

Account of J. H. Graham;

Account of S. P. Kinard;

Account of Thomas J. Warren;

Account of Alexander Strain;

Account of J. M. Crosson and others;

Account of William Hill, Ordinary.

Report of the Committee on District Officers and Offices

On petition of sundry citizens of Newberry District for appointment of a Magistrate.

Report of Committee on Claims

On the account of W. B. Seabrook.

On motion of Mr. SPAIN, the General Orders were suspended; and

Mr. SPAIN offered the following resolution; which was considered immediately and agreed to:

*Resolved*, That the Cashier of this House be required to make out for L. McKENSIE, Esq., member from St. Peter's, a pay bill commencing from the beginning of the present session, together with mileage, and that the Speaker do sign the said bill.

Mr. WILLIAM WALLACE offered the following Resolution; which was considered immediately, agreed to, and ordered to be sent to the Senate for concurrence:

*Resolved*, That the Governor be authorized to appoint Commissioners of the Poor for Richland District, to serve until the next general election.

The Report of the Committee on the Military on so much of the Governor's Message as relates to the militia, and the Report of the Adjutant and Inspector General, was considered and agreed to, and ordered to be sent to the Senate for concurrence.

On motion of Mr. READ, a message was sent to the Senate, proposing to that body to go forthwith into an election for Register of Mesne Conveyance for Georgetown District.

On motion of Mr. WHALEY, leave of absence for the remainder of the Session was granted to Mr. BURRELL SANDERS.

Mr. BOYLSTON presented the Report of the Committee on the Judiciary on the petition of T. P. Cooper, which was ordered to *lie on the table*.

The House unanimously dispensed with a reference to a Standing Committee of the following papers, and the same were concurred in and ordered to be returned to the Senate:

Report of the Committee on Claims and Grievances of the Senate  
On the account of W. Glaze & Co.

Reports of the Committee on Roads and Buildings of the Senate

On petition of Commissioners of Public Buildings for Chester District;

On petition of the Commissioners of Public Buildings for Chesterfield District;

Resolution for collecting certain amounts from J. W. Hodges, former Superintendent of Public Works.

Mr. McCRADY offered the following resolution, which was considered and agreed to, and ordered to be sent to the Senate for concurrence :

*Whereas*, Conflicting claims are urged and maintained by the States of Georgia and South Carolina relative to their respective right and jurisdiction in and over the River Savannah, their common boundary ; and differences and disagreements relative to the Bridge across the said river between Augusta and Hamburg have also for a long time existed between the different claimants, under various grants and legislative enactments of both States, disquieting the said cities and the inhabitants of the said States in the neighborhood of each of them ; and

*Whereas*, It is desirable, at all times, to prevent the continuance of disputes and controversies between adjoining States, and to preserve and maintain amicable relations and social intercourse between neighboring cities and the inhabitants thereof. Therefore,

*Be it Resolved by the Senate and House of Representatives*, That the Governor of this State be, and he is hereby, authorized to communicate to the Governor of the State of Georgia that the State of South Carolina is ready and willing to appoint Commissioners to meet Commissioners to be appointed by the State of Georgia, for the purpose of conferring together upon the differences above recited, and devising and recommending to the Legislatures of these States respectively some amicable adjustment or mode for adjusting all the said conflicting claims and differences between them, and also between the said cities and citizens.

A Resolution in relation to the claim of the Legionaries of Luxembourg was, on motion of Mr. RICHARDSON, referred to a Committee consisting of Hon. EDWARD FROST, Hon. R. MUNRO and Hon. J. W. HAYNE.

Mr. HAMMOND offered the following Resolution ; which was ordered to lie on the table :

*Resolved*, That the Comptroller General be required to report to this House, at the next session, the amount owing to the Catawba Indians for the purchase of their lands in 1840 ; also the amount paid by the State, with such remarks as he may deem necessary for general information.

The Senate attended and joined the House in a ballot for Regents of the Lunatic Asylum.

The following message were received from the Senate :

IN THE SENATE, Dec. 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully concurs in the proposal of your House to unite with your House in a joint ballot for Register of Mesne Conveyance for Georgetown District, this day, immediately after the election for Regents of the Lunatic Asylum.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

A resolution requiring the Governor to have Coosawhatchie Swamp surveyed, etc., was taken up and agreed to, and ordered to be sent to the Senate for concurrence.

Mr. McKNIGHT offered the following resolution ; which was ordered for consideration to-morrow :

*Resolved*, That our Senators and Representatives in Congress be, and they are hereby requested to use their efforts to obtain a withdrawal of the African Squadron, and a repeal of all laws, and the amendment of all treaties which declare and treat the slave trade as piracy or other crime.

Mr. MIDDLETON introduced the following resolution ; which was ordered for consideration to-morrow :

*Resolved*, That the Commissioners of Public Buildings of the Districts in which there are seaport towns, be, and they are hereby authorized and required to make such alterations and arrangements in their jails and jail-yards in said seaport towns as may be necessary to keep separate and apart all free negroes and persons of color who may come into the State subject to the provisions of the Act of 1835 from all other negroes or persons of color lodged in said jails ; and said boards are authorized to expend a sum not exceeding five thousand dollars in any one instance.

The Senate attended and joined the House in a ballot for Register of Mesne Conveyance for Georgetown District.

The Report of the Committee on Legislative Library relative to the maps purchased from Messrs. Walker & Johnson ; was considered and agreed to, and ordered to be sent to the Senate for concurrence.

The House then proceeded to the consideration of the Special Order, being the Report of the Committee on Accounts ; and the same was agreed to and ordered to be sent to the Senate for concurrence.

The following message was received from the Senate :

IN THE SENATE, December 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully refuse leave to rescind the joint resolution passed at this session in these words :

*" Resolved, That the General Assembly will adjourn, sine die, on Thursday, the 21st instant, at nine o'clock, P. M.,"* with the intent to substitute the following resolutions :

*Resolved, That this General Assembly will adjourn on Thursday, the 21st instant at 9 o'clock, P. M.*

*Resolved, That when this General Assembly adjourns, it will stand adjourned until Tuesday before the fourth Monday in November next.*

By order of Senate,

ROBT. F. W. ALLSTON, *President.*

The following Message was received from the Senate :

IN THE SENATE, December 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully proposes to go into a ballot for twelfth Director for the Bank of the State of South Carolina forthwith.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. WHALEY, a message of concurrence was returned to the Senate.

The Report of the Committee on Accounts and Vacant Offices of the Senate, was agreed to, and ordered to be returned to the Senate.

The following papers were ordered *to lie on the table :*

Presentment of Grand Jury of Lexington District, Fall Term, 1854 ;

Report of the Committee on Claims

On the account of Charleston Mercury.

Report of the Committee on the Judiciary on the petition of T. P. Cooper ;

Resolution as to expediency of establishing County Courts ;

Petition of various persons concerning records of the Office of Public Works ;

Petition of Dr. John M. Farrall ;

Extract from the Presentment of the Grand Jury of Chester District ;

Presentment of the Grand Jury of Laurens District ;

Presentment of the Grand Jury of Marion District ;

Presentment of the Grand Jury of Pickens District ;

Presentment of the Grand Jury of Charleston District.

Mr. READ offered the following Resolution, which was considered and agreed to :

*Resolved*, That it be referred to the Committee on Colored Population to enquire and report at the next session of this Legislature into the expediency of imposing a capitation tax on all free persons of color not now liable by existing statutes, to said taxation ; and that they may report by Bill or otherwise.

Mr. RICHARDSON offered the following Resolution, which was considered and agreed to :

*Whereas*, The Special Committee, consisting of Hon. Edward Frost, Hon. R. Munro, and J. W. Hayne. Esq., heretofore appointed by this House, to investigate and report upon the claim of the French Government for payment of services rendered by French subjects on board the frigate South Carolina, have not yet reported :

*Resolved*, That the Report and Resolution from the Senate, with the accompanying documents upon the same subject matter, be referred to the said Special Committee to investigate and report upon the same, and upon said claim generally, and that the Comptroller General be required to return to his office in Charleston all papers and documents in relation to said claim in his custody, for the use and purposes of said investigation.

The Senate sent to this House a resolution appointing State proxies in the meeting of the King's Mountain Railroad ;

Also, the Report of the Committee on College, Education and Religion in relation to the use of Mr. Calhoun's work on Government, as a text-book in the South Carolina College ; which were concurred in and ordered to be returned to the Senate ;

Also, the Report of the Committee on the Lunatic Asylum and Medical Accounts, on the account of W. D. Wallace.

The following reports were considered and agreed to :

Reports of the Committee on Claims

On the account of Dr. W. M. Davis ;

On the petition of M. C. Hughes ;

On the petition of John G. White ;

On the account of E. W. Perry ;

On the petition of J. A. Hodges ;

On the account of H. R. Godman ;

On the petition of O. P. Bealer ;

On the account of W. C. Miller ;

On the account of T. L. Ogier ;

On the petition of H. Boulware ;

On the petition of Osborne Mauldin ;

On the petition of James Mulikin ;  
On the petition of Williamson Riley ;  
On the petition of George W. Hambrick .

Report of same Committee on the Report of the Committee on Claims and Grievances of the Senate on the petition of John T. Peterson.

Report of the Committee on Claims on the petition of Samuel Lex.

Report of the Committee on the Judiciary on resolution of enquiry as to expediency of publishing Acts of Assembly.

Report of same Committee on the petition of A. L. McCormick and others.

Mr. MUNRO asked and obtained leave to withdraw from the files of the House an order of Court, and the certificate of Dr. Parker, vouchers for the account of Sheriff of Horry, for 1854.

The petition of H. A. Kenwick was recommitted to the Committee on Claims.

The Senate returned to this House, with their concurrence, the Report of the Committee of Ways and Means on the petition of G. J. Reid ;

Also, a resolution to appoint proxies to represent the State Stock in the Laurens Railroad Company.

Also, a resolution to pay Committees appointed to examine the Bank and its branches.

The Senate attended and joined the House in a ballot for a twelfth Director of the Bank of the State of South Carolina.

Mr. KING, from the Committee on Engrossed Acts, reported the following Acts as engrossed, and ready for ratification :

The Committee on Engrossed Acts ask leave to report the following Acts as engrossed and ready for ratification, to wit :

1. An Act to alter the Constitution of this State, so as to divide Pendleton into two Election Districts.

2. An Act to incorporate certain religious and charitable societies, and societies for the advancement of education, and to renew and amend the Charters of others heretofore granted.

3. An Act to renew and amend the charters of certain towns and villages heretofore incorporated.

4. An Act to amend the charter of the Wilmington and Manchester Railroad Company.

5. An Act to vest the title of the State in certain escheated property therein mentioned, in certain persons therein named.

6. An Act to authorize the Cheraw and Darlington Railroad Company to increase their capital stock.

7. An Act to amend an Act entitled "An Act to re-charter the Merchants' Bank of South Carolina, at Cheraw."

8. An Act to amend the Charter of the Bank of the State of South Carolina.



9. An Act to re-charter the Bank of Georgetown, South Carolina.

10. An Act to authorize the Town Council of Hamburg to subscribe to the capital stock of certain Railroad Companies therein mentioned, and for other purposes.

11. An Act to raise supplies for the year commencing in October, one thousand eight hundred and fifty-four.

12. An Act to authorize the formation of a Volunteer Battalion, to be attached to the 23d Regiment, South Carolina Militia, and for other purposes.

13. An Act to authorize aid to the Blue Ridge Railroad in South Carolina.

14. An Act to authorize and empower the Commissioners of the Orphan House of Charleston to select the number of youths therein mentioned from those educated and maintained on the bounty of that institution, who shall be allowed to complete their education at the Military Schools established by this State.

15. An Act to incorporate certain Societies, Associations and Companies, and to renew and amend the charters of others.

16. An Act to incorporate the Yorkville Female Institute and the Marion Female College.

17. An Act to prescribe the mode and terms upon which the City Council of Charleston may subscribe to the capital stock of Railroads, Plank roads and Canal Companies, and to confirm the subscriptions heretofore made by them.

18. An Act to extend and renew the charter of the Town of Yorkville.

19. An Act to amend an Act, entitled "An Act to incorporate the North Eastern Railroad Company."

20. An Act to amend an Act, entitled "An Act to incorporate the Town of Mount Pleasant."

21. An Act to amend the Charter of the Town of Georgetown.

22. An Act to authorize the Comptroller General to accept the bequest of the late John Blair.

23. An Act to amend an Act to incorporate the Fireman's Insurance Company of Charleston, passed the 16th day of December, A. D., 1852.

24. An Act to authorize and empower the City Council of Charleston to levy and collect taxes on the real estate of Banks within the corporate limits of said city.

25. An Act to incorporate the Spartanburg Female College.

26. An Act to amend the first clause of an Act, entitled "An Act to renew and amend the charters of certain towns and villages heretofore incorporated," passed on the twentieth day of December, in the year of our Lord one thousand eight hundred and fifty-three.

27. An Act to incorporate the Elmwood Cemetery Company.
28. An Act to incorporate the Columbia Machine Works.
29. An Act to abolish the office of Tax Collector for the Election District of Winyaw, and for other purposes.
30. An Act to incorporate the village of Marion, and for other purposes therein mentioned.
31. An Act to incorporate the Merchants' Mutual Insurance Company.
32. An Act to extend the time allowed the Greenville and Columbia Railroad Company, and the Newberry and Chester Railroad Company, to open books of subscription to the capital stock of said Companies.
33. An Act to incorporate the Society for the Relief of Indigent and Superannuated Ministers of the Presbyterian Church and their families.
34. An Act to incorporate the South Carolina Saving and Building Association.
35. An Act to re-charter the Board of Directors of the Theological Seminary of the Synod of South Carolina and Georgia.
36. An Act to incorporate the Southern Mutual Life Insurance Company.
37. An Act to amend an Act, entitled "An Act to authorize the formation of the Savannah River Valley Railroad Company, and to grant aid in the construction of their road.
38. An Act to make appropriations for the year commencing in October, one thousand eight hundred and fifty-four.
39. An Act to classify the lands in the Catawba Indian Boundary, situate in York and Lancaster Districts, and to tax them as other lands in said Districts, and for other purposes.
40. An Act to incorporate the Columbia Female College.
41. An Act to alter and amend the Charter of the Town of Columbia, and for other purposes.

Respectfully submitted,

HENRY C. KING, for the Committee.

The Senate sent to this House the Reports of the Committee on the Judiciary on the petition of T. P. Cooper; which was concurred in, and ordered to be returned to the Senate.

The following message was received from the Senate:

IN THE SENATE, December 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives:*

Senate respectfully asks leave of your House to amend the Report of the Committee on the Lunatic Asylum of your House, by striking out "Committee on the Lunatic Asylum," where it occurs, and insert a Committee of

Five; two on the part of the Senate and three on the part of the House, to be appointed by President and Speaker.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. HAMPTON, a message of concurrence was sent to the Senate.

The following message was received from the Senate :

IN THE SENATE, December 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully asks leave of your House to amend the Report of the Committee on Education of your House on General Free School Returns, by adding to the synopsis, Pickens—176 schools, 33,720 days, and \$1,057 expended ; and also Horry—295 schools, 1,280 days, \$473.70 expended ; and to add to the Report the following Resolution :

*Resolved*, That the annual returns now required to be made to the Courts shall hereafter be filed with the Clerks of the Spring Term of each year after the expenditure of the appropriations, instead of the Fall Term, as heretofore.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion of Mr. SULLIVAN, a message of concurrence was sent to the Senate.

The following message was received from the Senate :

IN THE SENATE, December 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully proposes to your House to go into a ratification of Acts this day, at (8 o'clock, P. M.,) eight o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion, a message of concurrence was sent to the Senate.

The following message was received from the Senate ; which was ordered to lie on the table :

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully proposes to your House to go forthwith into another ballot for twelfth Director of the Bank of the State of South Carolina.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

On motion, the rule providing for a daily Recess from 4 o'clock, P. M., until 7 o'clock, P. M., was rescinded, and it was ordered that the House will this day take a recess from 4, P. M., till 6, P. M.

Mr. MITCHELL, from the Committee appointed to count the votes for a twelfth Director of the Bank of the State, reported that no candidate had received a majority of the votes cast, and consequently there was no election.

Mr. SPAIN moved that a message be sent to Senate proposing to go into an election for Bank Director at half-past 6 o'clock, P. M. ; which, on motion, was ordered *to lie on the table.*

Mr. PEEPLES, from the Committee appointed to count the ballots for a twelfth Director of the Bank of the State of South Carolina, reported that no candidate had received a majority, and that consequently there was no election.

The Senate returned to this House with their concurrence

Report of the Medical Committee on the account of J. H. Dean ;

Report of the Committee on Claims on the account of the Chester Standard ;

Report of the Committee on Education on the annual returns of the Commissioners of Free Schools for 1854 ;

Resolution instructing Trustees of the South Carolina College to have Mr. Calhoun's work on Government used as a text book in that institution ;

Report of the Committee on the Legislative Library relative to the maps published by Walker & Johnson.

Reports of the Committee on Claims

On the account of Gilbert & Fraser ;

On the account of C. H. Simonton ;

On the account of James M. Collier ;

On the account of O. Richardson ;

On the account of Benjamin F. Perry ;

On the account of Abner Leggett ;

On the petition of W. J. Graham ;

On the account of the Charleston Courier ;

On the account of E. A. Brunson ;

On the account of R. E. Ellison ;

On the account of Dohier & Tarbox ;  
On the account of Thomas J. Lamotte ;  
On the account of A. Palmer ;  
On the account of Lewis & Richardson ;  
On the petition of James Fant ;  
On the petition of Mrs. E. Dunlap ;  
On the account of Dr. J. S. Crane ;  
On the account of James Adams ;  
On the account of Walker & Moore ;  
On the account of H. J. Avinger ;  
On the account of John L. Dawson ;  
On the petition of Ramey O'Neill ;  
On the the account of John T. Sloan ;  
On the account of R. L. Bryan.

Under the rule of the House, business was suspended at 4 o'clock, P. M., until 6 o'clock, P. M.

### RECESS.

When the SPEAKER took the Chair, a message was received from the Senate, proposing to amend the Report of the Committee on Accounts of this House against the Upper Division, by amending the the account of Sumter District in the account of W. J. Singleton, by allowing, in addition, ten dollars.

On motion, leave to amend was refused.

On motion of Mr. SPAIN, a Message was sent to the Senate, proposing to go forthwith into another ballot for a twelfth Director of the Bank of the State of South Carolina.

The Report of the Special Joint Committee on various matters relating to the New State Capitol, was taken up for consideration ; Senate proposed to amend the fourth Resolution so as to read as follows :

*"Resolved, That the entire cost of completely constructing the New State Capitol shall not exceed five hundred thousand dollars, in addition to the amounts already appropriated for that purpose, and that the Commissioners shall make all their estimates and contracts with reference to that sum as a limit."*

And the question being put, Will the House agree thereto ? it passed in the affirmative.

Yeas, 49—Nays, 46.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are,

|                 |              |                     |
|-----------------|--------------|---------------------|
| Messrs. Ambler, | Harrington,  | Moorer,             |
| Boylston,       | Harrison,    | Mooney,             |
| Bratton,        | Haynesworth, | Moragne,            |
| Bush,           | Hearst,      | Perry, B. F.,       |
| Butler,         | Henderson,   | Rowell,             |
| Cauthen,        | Herndon,     | Rumph,              |
| Clarke,         | Hope,        | Simons, T. Y., Jr., |
| Clawson,        | Johnson,     | Simpson,            |
| Crosson,        | Kilgore,     | Thomson,            |
| Cunningham,     | Kirk, P. C., | Trimmier,           |
| Felder,         | Lowry,       | Tucker,             |
| Fox,            | McBee,       | Whaley, J. C.,      |
| Gill,           | McGowan,     | Wilson, John,       |
| Grisham,        | McKensie,    | Wilson, W. B.,      |
| Hammond,        | Miller,      | Williams,           |
| Hart,           | Munro,       | Winsmith.           |

Those who voted in the negative are,

Hon. JAMES SIMONS, Speaker, and

|                   |              |                 |
|-------------------|--------------|-----------------|
| Messrs. Anderson, | King,        | Richardson,     |
| Beaty,            | Kirk, M. J., | Siegling,       |
| Blanding,         | Landrum,     | Spain,          |
| Boykin,           | McCrady,     | Sullivan,       |
| Bryan,            | McQueen,     | Thornwell,      |
| Campbell,         | Melton,      | Tillman,        |
| Cordes,           | Metts,       | Tobin,          |
| Dantzler,         | Middleton,   | Toomer,         |
| DeSaussure, W.D.  | Mitchell,    | Trenholm,       |
| DeSaussure, W.G.  | Mobley,      | Wallace, A. S., |
| Furman,           | Mullins,     | Wallace, Wm.,   |
| Graham,           | O'Bryan,     | Wagner,         |
| Hampton,          | Peeples,     | Whaley, B. J.,  |
| Irby,             | Read,        | Whiting,        |
| Kershaw,          | Rebb,        | Wilson, B. H.   |

Mr. BRYAN offered the following Resolution as an amendment :

*Resolved*, That the present Commissioners be directed to advertise during the recess of this Legislature for plans and estimates for a new State House, to be submitted to a Special Joint Committee to be appointed by the General Assembly at its next session, the material now in possession of the State being included in the estimate as far as practicable.

Mr. PERRY moved that the amendment be ordered *to lie on the table*; and the question being put, Will the House agree thereto? it passed in the affirmative.

Yeas, 49—Nays, 45.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                 |              |                    |
|-----------------|--------------|--------------------|
| Messrs. Ambler, | Harrison,    | Mooney,            |
| Boylston,       | Hearst,      | Moragne,           |
| Bratton,        | Henderson,   | Perry, B. F.,      |
| Bush,           | Herndon,     | Rowell,            |
| Butler,         | Hope,        | Rumph,             |
| Cauthen,        | Johnson,     | Simons, T. Y., Jr. |
| Clarke,         | Kilgore,     | Simpson,           |
| Clawson,        | Kirk, P. C., | Tobin,             |
| Cunningham,     | Kirk, M. J.  | Tucker,            |
| Fox,            | Lowry,       | Wallace, William,  |
| Furman,         | McBee,       | Whaley, B. J.,     |
| Gill,           | McGowan,     | Wilson, B. H.,     |
| Graham,         | McKensie,    | Wilson, John,      |
| Grisham,        | Middleton,   | Wilson, W. B.,     |
| Hammond,        | Miller,      | Williams,          |
| Hart,           | Moorer,      | Winsmith.          |
| Harrington,     |              |                    |

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker, and

|                   |           |             |
|-------------------|-----------|-------------|
| Messrs. Anderson, | Hampton,  | Mobley,     |
| Beaty,            | Holston,  | Munro,      |
| Blanding,         | Irby,     | Mullins,    |
| Boykin,           | Jones,    | O'Bryan,    |
| Bryan,            | Kershaw,  | Peeples,    |
| Campbell,         | King,     | Randall,    |
| Crosson,          | Landrum,  | Read,       |
| Dantzler,         | McCrary,  | Rebb,       |
| DeSaussure, W. D. | McQueen,  | Richardson, |
| DeSaussure, W. G. | Melton,   | Spain,      |
| Dorn,             | Metts,    | Sullivan,   |
| Felder,           | Mitchell, | Thornwell,  |

Tillman,  
Trotti,  
Toomer,

Trenholm,  
Wallace, A. S.,  
Wagner,

Whaley, J. C.,  
Whiting.

Mr. CROSSON moved the following amendment :

*Resolved*, That the Commissioners of the New State Capitol be required to submit to the Legislature, at its next session, full and particular estimates of the cost of construction of said Capitol, and also complete plans and specifications of the same.

Mr. B. H. WILSON moved that the amendment be ordered *to lie on the table*; and the question being put, Will the House agree thereto? it passed in the affirmative.

Yeas, 52—Nays, 40.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

Hon. JAMES SIMONS, Speaker, and

|                   |              |                     |
|-------------------|--------------|---------------------|
| Messrs. Boykin,   | Hampton,     | Mooney,             |
| Boylston,         | Hart,        | Moragne,            |
| Bratton,          | Harrington,  | Perry, B. F.,       |
| Bryce,            | Hearst,      | Read,               |
| Bush,             | Henderson,   | Rebb,               |
| Butler,           | Herndon,     | Rowell,             |
| Cauthen,          | Johnson,     | Simons, T. Y., Jr., |
| Clarke,           | Kershaw,     | Simpson,            |
| Clawson,          | Kilgore,     | Thomson,            |
| Cunningham,       | Kirk, P. C., | Trotti,             |
| DeSaussure, W. D. | Kirk, M. J., | Trenholm,           |
| DeSaussure, W. G. | McBee,       | Trimmier,           |
| Fox,              | McGowan,     | Tucker,             |
| Furman,           | Middleton,   | Wallace, A. S.,     |
| Gill,             | Miller,      | Wallace, Wm.,       |
| Graham,           | Mitchell,    | Wilson, B. H.       |
| Hammond,          | Moorer,      | Winsmith.           |

Those who voted in the negative are

|                 |           |         |
|-----------------|-----------|---------|
| Messrs. Ambler, | Campbell, | Dorn,   |
| Anderson,       | Crosson,  | Epps,   |
| Beaty,          | Dantzier, | Felder, |



|           |             |                |
|-----------|-------------|----------------|
| Harrison, | Metts,      | Sullivan,      |
| Holston,  | Mobley,     | Thornwell,     |
| Irby,     | Munro,      | Tillman,       |
| Jones,    | Mullins,    | Toomer,        |
| King,     | O'Bryan,    | Wagner,        |
| Landrum,  | Peebles,    | Whaley, B. J., |
| Lowry,    | Randall,    | Whiting,       |
| McKensie, | Richardson, | Wilson, John,  |
| McQueen,  | Rumph,      | Wilson, W. B., |
| Melton,   | Spain,      | Williams.      |

Mr. DeSAUSSURE offered the following resolution as an amendment :

*Resolved*, That the State Capitol be located at the intersection of Senate and Richardson streets ; and that the two squares immediately in the rear of the site designated be purchased and added to the grounds of the Capitol.

Mr. SPAIN moved to lay the amendment on the table ; and the question being put, will the House agree thereto ? it passed in the affirmative.

Yeas, 50—Nays, 18.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                   |              |                    |
|-------------------|--------------|--------------------|
| Messrs. Blum,     | Haynesworth, | Mullins,           |
| Boykin,           | Hearst,      | O'Bryan,           |
| Boylston,         | Henderson,   | Perry, B. F.,      |
| Bratton,          | Irby,        | Rowell,            |
| Butler,           | Johnson,     | Rumph,             |
| Cauthen,          | Jones,       | Siegling,          |
| Clarke,           | Kirk, P. C., | Simons, T. Y., Jr. |
| Clawson,          | Lowry,       | Thomson,           |
| Cordes,           | McBee,       | Thornwell,         |
| Cunningham,       | McGowen,     | Tucker,            |
| DeSaussure, W. D. | McKensie,    | Whaley, B. J.,     |
| Felder,           | McQueen,     | Wilson, B. H.,     |
| Fox,              | Melton,      | Wilson, W. B.,     |
| Furman,           | Middleton,   | Williams,          |
| Gill,             | Moorer,      | Wilkes,            |
| Hammond,          | Mooney,      | Winsmith.          |
| Hart,             | Moragne,     |                    |

Those who voted in the negative are

**Hon. JAMES SIMONS, Speaker, and**

|                   |           |                   |
|-------------------|-----------|-------------------|
| Messrs. Anderson, | King,     | Richardson,       |
| Blanding,         | Landrum,  | Spain,            |
| Campbell,         | Mitchell, | Tillman,          |
| Crosson,          | Munro,    | Wallace, William, |
| DeSaussure, W.G.  | Read,     | Whiting.          |
| Hampton,          | Rebb,     |                   |

The question being then put, Will the House agree to the resolution ? it passed in the affirmative.

Yeas, 48—Nays, 23.

The yeas and nays were requested, and are as follows :

Those who voted in the affirmative are

|                   |            |                     |
|-------------------|------------|---------------------|
| Messrs. Anderson, | Hearst,    | Moragne,            |
| Blum,             | Henderson, | O'Bryan,            |
| Boylston,         | Irby,      | Perry, B. F.,       |
| Bratton,          | Johnson,   | Rowell,             |
| Bush,             | Kilgore,   | Rumph,              |
| Butler,           | Landrum,   | Siegling,           |
| Cauthen,          | Lowry,     | Simons, T. Y., Jr., |
| Clarke,           | McBee,     | Spain,              |
| Cordes,           | McGowan,   | Thomson,            |
| Cunningham,       | McKensie,  | Tillman,            |
| Felder,           | McQueen,   | Tucker,             |
| Fox,              | Melton,    | Whaley, B. J.,      |
| Gill,             | Miller,    | Wilson, W. B.,      |
| Hammond,          | Mobley,    | Williams,           |
| Hart,             | Moorer,    | Wilkes,             |
| Haynesworth,      | Mooney,    | Winsmith.           |

Those who voted in the negative are

**Hon. JAMES SIMONS, Speaker, and**

|                   |            |                   |
|-------------------|------------|-------------------|
| Messrs. Blanding, | Furman,    | Munro,            |
| Boykin,           | Hampton,   | Mullins,          |
| Bryan,            | Jones,     | Read,             |
| Campbell,         | Kershaw,   | Rebb,             |
| Clawson,          | King,      | Richardson,       |
| Crosson,          | Middleton, | Wallace, William, |
| DeSaussure, W. D. | Mitchell,  | Wilson, B. H.     |
| DeSaussure, W.G.  |            |                   |

Mr. CAMPBELL moved to amend by striking out all salaries, and substituting therefor, "all traveling expenses and tavern bills;" and the question being put, Will the House agree thereto? it passed in the negative.

Yeas, 24—Nays, 44.

The yeas and nays were requested, and are as follows:

Those who voted in the affirmative, are

Hon. JAMES SIMONS, Speaker, and

|                   |                   |                   |
|-------------------|-------------------|-------------------|
| Messrs. Anderson, | DeSaussure, W. G. | Melton,           |
| Blanding,         | Furman,           | Mitchell,         |
| Boykin,           | Hampton,          | Read,             |
| Bryan,            | Irby,             | Richardson,       |
| Butler,           | Jones,            | Wallace, William, |
| Campbell,         | Kershaw,          | Wagner,           |
| Crosson,          | King,             | Wilson, B. H.     |
| DeSaussure, W. D. | McKensie,         |                   |

Those who voted in the negative are,

|               |            |                     |
|---------------|------------|---------------------|
| Messrs. Blum, | Hearst,    | Perry, B. F.,       |
| Boylston,     | Henderson, | Rebb,               |
| Bratton,      | Hope,      | Rowell,             |
| Bush,         | Johnson,   | Rumph,              |
| Caughen,      | Kilgore,   | Siegling,           |
| Clarke,       | Landrum,   | Simons, T. Y., Jr., |
| Clawson,      | Lowry,     | Spain,              |
| Cordes,       | McBee,     | Thomson,            |
| Cunningham,   | McGowan,   | Tillman,            |
| Felder,       | McQueen,   | Tucker,             |
| Fox,          | Middleton, | Whaley, B. J.,      |
| Gill,         | Miller,    | Wilson, W. B.,      |
| Hammond,      | Mooney,    | Williams,           |
| Hart,         | Moragne,   | Winsmith.           |
| Haynesworth,  | Mullins,   |                     |

The Report was then ordered to be returned to the Senate.

The following resolution was received from the Senate:

*Resolved*, That DRAYTON NANCE, C. F. McCAY and RICHARD S. BEDON be, and the same are hereby, appointed Commissioners of the New State Capitol.

Mr. KERSHAW moved to lay the amendment on the table; and the question being put, Will the House concur therein? it passed in the negative.

**The Yeas and Nays were requested, and are as follows :**

Hon. JAMES SIMONS, Speaker, and

Those who voted in the negative are

**The Resolution was then ordered for consideration to-morrow.**

Mr. HARRISON moved to amend by inserting "8 o'clock, P. M., on Friday."

Mr.                      moved to lay the amendment on the table; and the question being put, Will the House agree thereto? the House refused to agree.

The Yeas and Nays were requested, and are as follows :

Those who voted in the affirmative are

|                   |              |              |
|-------------------|--------------|--------------|
| Messrs. Ambler,   | Grisham,     | Metts,       |
| Beaty,            | Harrington,  | Munro,       |
| Blanding,         | Henderson,   | Randall,     |
| Boykin,           | Holston,     | Rebb,        |
| Bryan,            | Irby,        | Rowell,      |
| Cauthen,          | Kershaw,     | Simpson,     |
| Cordes,           | Kirk, M. J., | Spain,       |
| Crosson,          | Landrum,     | Sullivan,    |
| DeSaussure, W. D. | McCrary,     | Wallace, Wm. |
| Dorn,             | McKensie,    |              |

Those who voted in the negative are

Hon. JAMES SIMONS, Speaker, and

|                   |               |                     |
|-------------------|---------------|---------------------|
| Messrs. Anderson, | Hope,         | Richardson,         |
| Boylston,         | Johnson,      | Rumph,              |
| Bratton,          | Jones,        | Simons, T. Y., Jr., |
| Bryce,            | Kilgore,      | Thomson,            |
| Bush,             | King,         | Thornwell,          |
| Butler,           | Kirk, P. C.,  | Tillman,            |
| Clarke,           | Lowry,        | Tobin,              |
| Clawson,          | McBee,        | Trotti,             |
| Cunningham,       | McQueen,      | Toomer,             |
| Dantzler,         | Melton,       | Trenholm,           |
| Epps,             | Middleton,    | Trimmier,           |
| Felder,           | Miller,       | Tucker,             |
| Fox,              | Mitchell,     | Wallace, A. S.,     |
| Furman,           | Mobley,       | Wagner,             |
| Gill,             | Moorer,       | Whaley, B. J.,      |
| Graham,           | Mooney,       | Whiting,            |
| Hammond,          | Moragne,      | Wilson, B. H.,      |
| Hampton,          | Mullins,      | Wilson, John,       |
| Hart,             | O'Bryan,      | Wilson, W. B.,      |
| Harrison,         | Perry, B. F., | Williams,           |
| Hearst,           | Read,         | Winsmith.           |
| Herndon,          |               |                     |

The Resolution as offered by Mr. TUCKER was agreed to, and a message sent to the Senate accordingly.

The following Message was received from the Senate :

IN THE SENATE, December 21, 1854.

*Mr. Speaker and Gentlemen of the*

*House of Representatives :*

Senate respectfully grants leave to your House to rescind the joint resolution of the Senate and the House of Representatives to adjourn this General Assembly at 9 o'clock, P. M.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

The following Message was received from the Senate :

IN THE SENATE, Dec. 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully informs your House that they have appointed Messrs. HARLEE and MCALILEY a Committee on the part of the Senate, to act jointly with the Committee of your House, in accordance with the resolution of the House on the Lunatic Asylum, returned to your House this evening, amended by leave of the House.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Whereupon the SPEAKER announced Messrs. WADE HAMPTON, NELSON MITCHELL and J. B. KERSHAW as the Committee on the part of this House.

The following message was received from the Senate, and leave was accordingly granted :

IN THE SENATE, December 21, 1854.

*Mr. Speaker and Gentlemen*

*of the House of Representatives :*

Senate respectfully asks leave of your House to amend the report of the Committee on accounts of your House against the Upper Division by amending the account of Sumter District ; in the account of W. J. Singleton, Clerk, by allowing in addition ten dollars, erroneously struck out, so that the sum total for Sumter District will be \$1,194 39.

By order of the Senate,

ROBT. F. W. ALLSTON, *President.*

Mr. MORAGNE, from the Committee appointed to count the votes for Register of Mesne Conveyance for Georgetown District, reported that Mr. S. C. Croft had received a majority of the votes cast, and was consequently elected; whereupon the SPEAKER announced that S. C. Croft was duly elected Register of Mesne Conveyance for Georgetown District.

Mr. MUNRO, from the Committee appointed to count the votes for Regents of the Lunatic Asylum, reported, that the following named gentlemen had received a majority of the votes cast, and were consequently elected:

Messrs. M. LABORDE, R. H. GOODWYN, Sr., A. WALLACE, B. M. PALMER, WILLIAM CLARKSON, P. J. SHAND, JOHN BRYCE, FRANCIS LIEBER, and C. F. McCAY.

The House attended in the Senate Chamber, when the Acts passed at the present session of the General Assembly were ratified in due form.

The following Reports and Resolutions were concurred in, and ordered to be returned to the Senate:

Report of the Committee on Roads and Buildings of Senate, on petition of Commissioners of Public Buildings for Chester District;

A resolution appointing proxies to represent the State in the meeting of the Charlotte and South Carolina Railroad;

Report of the Committee on Claims and Grievances on account of W. B. Stanley;

Report of the Committee on Claims and Grievances, on the account of W. R. Miller and others;

Report of same Committee on account of Clerk of Senate;

Report of same Committee on account of R. W. Gibbes & Co.;

Report of same Committee on account of Johnson & Cavis;

Report of same Committee on account of William Arthur, Librarian;

Report of same Committee on accounts of John E. Scott and others;

Report of same Committee on account of A. Perrin and others;

Report of same Committee on account of Marshall, Frazier, and others;

Report of same Committee on account of Joseph Lawton & Co.

The following Reports from the Senate were ordered to *lie on the table*:

Report of Committee on Federal Relations, on the subject of the boundary between South Carolina and Georgia.

Reports of the Committee on the Judiciary, on the Reports of the Attorney General and Solicitors;

Report of the Committee on Accounts, on the Report of Adam Ivey, Indian Agent;

Report of the Committee on the Military and Pensions, on the Report of the Board of Visitors of the Military Schools, for 1854;

Report of the Committee on Roads and Buildings, on the Memorial of the Commissioners of Public Buildings for Williamsburg District;

Report of Committee of Ways and Means of the House, on Memorial praying Branch of the Bank at Sumterville.

The following Reports and Resolutions were agreed to, and sent to the Senate :

Report of the Committee of Ways and Means on so much of the Governor's Message as relates to the Finances of the State ;

A resolution to appoint proxies to represent the stock of the State for the Wilmington and Manchester Railroad ;

Report of the Committee on Accounts ;

Report of the Committee on Vacant Offices ;

The Senate sent to this House a Resolution appointing proxies to represent the stock of the State in the Wilmington and Manchester Railroad ; which was concurred in, and ordered to be returned to the Senate.

Also, a Resolution concerning public roads.

Senate returned to this House, with their concurrence, the Report of the Committee on the Lunatic Asylum, on the Report of the Regents.

Also, a Resolution for the appointment of proxies to represent the stock owned by the State in the Wilmington and Manchester Railroad Company.

Senate sent to this House a Resolution for allowance of per diem and mileage to the Committee to sit in the recess of the Legislature on the subject of the Lunatic Asylum ; which was concurred in and ordered to be returned to the Senate.

Senate returned to this House, with their concurrence,

Reports of the Committee on Claims

On the account of J. Powel ;

On the account of John Watson ;

On the account of R. A. Thompson ;

On the account of W. F. Durisoe ;

On the account of Daniel Rountree ;

On the account of J. M. Hunter ;

On the account of I. J. Rice ;

On the account of Bomar & Trimmier ;

On the account of R. S. Bailey ;

On the account of V. Little ;

On the account of S. G. Courtenay ;

On the account of W. W. Purse ;

On the account of J. Jackson ;

On the account of J. L. Miller ;

On the account of Jno. Martin ;

On the account of S. G. Earle ;

On the account of F. Gaillard ;

On the account of Evans & DeLorme ;



On the account of B. V. Posey;  
On the account of T. J. Rawls;  
On the account of J. L. Dawson;  
On the account of H. W. DeSaussure;  
On the account of Dr. O. C. Rhame;  
On the account of Dr. J. O. Hagood;  
On the account of Dr. R. L. Hart;  
On the account of T. L. Lockwood;  
On the account of W. J. Rowe;  
On the account of Thomas L. Gelser;  
On the account of D. M. Lafitte;  
On the account of J. W. Sturgess;  
On the account of Dr. J. R. McQueen;  
Report of the Committee on Contingent Accounts of the Upper Division;  
Report of the Committee on Education on the memorial of Dr. R. W. Gibbes in relation to Documentary History of South Carolina;  
Resolution for recording certain plats and conveyances of Land.  
The SPEAKER announced the following Committee to examine the accounts of J. D. Daly, C. McCulloch, and G. W. Wright, for work on the State Capitol:

Messrs. A. H. BOYKIN and B. H. WILSON.

The Senate and House of Representatives were informed by the Clerks of each respectively that the Legislative business was finished, and that they were now ready to adjourn the present Session of this General Assembly.

At 12 o'clock, M., the SPEAKER adjourned the House of Representatives, agreeably to the Joint Resolution of the General Assembly, *sine die*.

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